

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

Legislative Record

OF THE

Eighty-Third Legislature

OF THE

STATE OF MAINE

1927

KENNEBEC JOURNAL COMPANY
AUGUSTA, MAINE

HOUSE

Wednesday, April 13, 1927.

The House met according to adjournment and was called to order by the Speaker.

Prayer by the Rev. Mr. Manning of Augusta.

Journal of the previous session read and approved.

Papers from the Senate disposed of in concurrence.

From the Senate: Final reports of the committees on Claims, Legal Affairs, Military Affairs and State Prison.

Come from the Senate, read and accepted.

In the House, read and accepted in concurrence.

From the Senate: Resolve in favor of the Pownal State School for additions and improvements, S. P. 15, H. D. 305.

Comes from the Senate indefinitely postponed in non-concurrence.

In the House, on motion by Mr. Daigle of Madawaska, voted to recede and concur with the Senate.

From the Senate: Bill an act relating to the State Department of Health, S. P. 481, S. D. 225, which was passed to be enacted in the House, March 31.

Comes from the Senate passed to be engrossed as amended by Senate Amendment A in non-concurrence.

In the House:

The SPEAKER: The Chair will state that Senate amendment A appears to be lengthy and possibly some member of the committee on Public Health who is familiar with the matter can explain it to the House.

Mr. MERRILL of Dover-Foxcroft: Mr. Speaker, I did not come in in time to hear what this is. I do not know whether I can give you any information or not.

The SPEAKER: The Chair will state that the bill relating to the State Department of Health is S. D. 225, which was passed to be enacted in the House on March 31 and comes now from the Senate where it was passed to be engrossed as amended by Senate Amendment A in non-concurrence.

Mr. MERRILL: I have no knowledge of that amendment, Mr. Speaker.

Mr. WINSLOW of Freeport: Mr. Speaker, may we have that amendment read?

(After the Clerk had read a part of Senate Amendment A, on motion by Mr. Winslow of Freeport, the further reading was dispensed with)

Mr. MERRILL: Mr. Speaker, I recognize the matter in the amendment now. It tends to make the laboratory somewhat self-supporting in the matter of making laboratory examination for physicians.

In order that we may get at that amendment, I would move, Mr. Speaker, that the House reconsider its action whereby this bill was passed to be enacted.

The motion prevailed, and on further motion by the same gentleman the House voted to reconsider its action whereby this bill was passed to be engrossed.

On further motion by the same gentleman Senate Amendment A was adopted in concurrence, and the bill was passed to be engrossed as amended by Senate Amendment A in concurrence.

From the Senate: Report of the committee on Legal Affairs reporting ought not to pass on bill an act to establish a uniform license law for summer camps, S. P. 220, S. D. 87, which was accepted in the House.

Comes from the Senate recalled from the files, the bill substituted for the report and passed to be engrossed as amended by Senate Amendment A in non-concurrence.

In the House:

Mr. FULLER of Southwest Harbor: Mr. Speaker, I don't exactly understand that myself.

The SPEAKER: The Chair will state that originally the report of the committee on Legal Affairs ought not to pass on an act to establish a uniform license law for summer camps was accepted in the House. This bill now comes from the Senate, the Senate having recalled it from the files, and the bill was substituted in the Senate for the report, and has been passed to be engrossed as amended by Senate Amendment A.

Mr. FULLER: Mr. Speaker, I move that the House reconsider under suspension of the rules its action whereby it accepted the report of the committee ought not to pass.

The motion prevailed.

Mr. FULLER: Mr. Speaker, I move to substitute the bill for the report.

Mr. McINTIRE of Norway: Mr. Speaker, may I ask if the bill in question is the original bill or a new draft?

The SPEAKER: The Chair will state that from the records it would appear as the original bill, and there is attached to it Senate Amendment A. Would the gentleman (Mr. McIntire) like to have Senate Amendment A read?

Mr. McINTIRE: If you please, Mr. Speaker.

(Senate Amendment A read by the Clerk)

Mr. LITTLEFIELD of Kennebunk: Mr. Speaker, that bill is too drastic. I think that the thing to do is to adhere to our former action.

The SPEAKER: There is a motion before the House that the bill be substituted for the report.

Mr. LITTLEFIELD: Mr. Speaker, may I argue that?

The SPEAKER: The gentleman may.

Mr. LITTLEFIELD: Mr. Speaker, if you have got one, two or three of these summer camps, you cannot do one thing with them unless the Governor and Council say you may. It seems to me we are going too far into such things as that. I hope in some way to see the amendment and the bill killed.

Mr. VAIL of Hodgdon: Mr. Speaker, I remember that the Health Department claimed before our committee that it would take seven or eight inspectors to inspect those camps, and it is just a matter of expense and a little more authority.

Mr. STURGIS of Auburn: Mr. Speaker, I move the indefinite postponement of the bill and amendment.

A viva voce vote being taken, the motion prevailed.

On motion by Mr. Sturgis of Auburn, a viva voce vote being taken

on a motion to reconsider the vote just taken, the motion failed of passage.

Orders

On motion by Mr. Lait of Old Town, it was

Ordered, that the State Auditor forthwith present to the House an itemized account of the receipts and disbursements of the contingent funds for the last two years.

Passed to be Engrossed

An Act concerning financial responsibility for damages caused by operation of motor vehicles, H. P. 1255, H. D. 577.

Mr. ALDRICH of Topsham: Mr. Speaker, if it is in order, I ask the indefinite postponement of that bill.

The SPEAKER: The gentleman is in order.

Mr. ALDRICH: Mr. Speaker, my reason for moving indefinite postponement is this, that I have had that bill on the table for possibly a week in the hope that amendments which I think would be satisfactory would be made; but the amendment which was offered here yesterday, in my judgment, does not cure the trouble. I personally have no interest in this bill and speak only because it is of public interest. This bill requires, in a general way, that whoever violates a motor traffic law may be required by the Secretary of State to give evidence of his financial responsibility or give a bond or be insured. Then it goes on and says that the Secretary of State may require from the person in whose name such motor vehicle is registered the same proof. I submit to you that this is the situation: That if a man using your car without your permission goes on the highway and violates a motor traffic law, you, who had nothing to do with it and are in no way responsible for any violation, may be required by the Secretary of State to give a bond, or else your registration will be taken from you. I submit to you that that is a ridiculous situation.

Further, if you permit your neighbor to take your car and he is a man who you have every reason to believe is a careful driver, and he goes on the road and happens to violate the motor vehicle law and is hauled into court and is found guilty, there is no penalty for him, but you whose vehicle he

has with perfect propriety used, may be required to show your financial responsibility as a condition to having your motor vehicle registered. I submit that this is only another specimen of an act, which we are getting so many of, which would impose penalties on innocent people in order to try to reach a very few who may disregard the law.

Now it seems to me—I think the provision of this law is perfectly right, that a man who is convicted of having driven a car while under the influence of liquor or of violating the motor vehicle law shall be required to show his financial responsibility and put up a bond. But when you say that if my car happens to be in the position of being the vehicle responsible for an accident and I am not responsible, I submit to you that I am being penalized for something I have not done and for which I am in no way responsible. On that ground, I move the indefinite postponement of the bill.

Mr. DUDLEY of Calais: Mr. Speaker, I had not expected to make any remarks at this time. I do not quite agree with the gentleman from Tops-ham, Mr. Aldrich, as to the persons who are reached by this law. He stated that any person violating the motor traffic law—that is true, but only half true—it is the person who operates the motor vehicle while not in a position to do so or a person who operates a motor vehicle recklessly, so as to endanger the lives of others, who is required to provide the evidence of financial responsibility. It is entirely in the control of the individual. If the individual is a careful driver and does not attempt to drive a car while he is intoxicated or drive a car recklessly, he has nothing to fear from this law. Any person who is insured has nothing to fear from this law. It simply requires reckless or drunken drivers to give a bond so that a person whom he may injure may have some redress. According to statistics there were twenty-three thousand people killed last year by motor vehicles, and during the same period many thousands were injured by reckless or drunken drivers; and to require that class of persons to give some assurance to society or else keep them off the road would seem to be a very beneficial kind of law. I trust the gentleman's motion to indefinitely postpone will not prevail.

Mr. ALDRICH: Mr. Speaker, I do not wish to take time on this matter but my brother has not read all of this

bill. I am in perfect accord with all he has said with respect to a part of the bill. But I object to the portion which says that the Secretary of State may require proof of financial responsibility, etc., from the person in whose name such motor vehicle is registered. That is what I object to. The man in whose name it is registered may not be driving the car and may have nothing whatever to do with it. He is responsible for nothing. Under these circumstances why should he be required to give proof of financial responsibility or give a bond?

Mr. MORRILL of Gray: Mr. Speaker, I would like to ask if a man arrested for speeding would come within this bill?

Mr. DUDLEY of Calais: Mr. Speaker, I would like to have the first sentence of this bill read showing to whom the law applies.

The SPEAKER: The Clerk will read.

"Section 1. The Secretary of State may require from any person who shall have been convicted of a violation of the law relative to operating or attempting to operate a motor vehicle while under the influence of intoxicating liquor or drugs or of a violation of the law relating to the operation of a motor vehicle upon any way recklessly, so that the lives or safety of the public are in danger, or who shall have caused the death of or injury to any person, or damage to property to the extent of at least one hundred dollars, by reason of the operation of a motor vehicle, or from the person in whose name such motor vehicle is registered or from both, proof of financial responsibility to satisfy any claim for damages, by reason of personal injury to or the death of any person, of at least five thousand dollars, and for damage to property of at least one thousand dollars; and, if such person or persons shall fail to furnish such proof, said secretary of state may, until such proof shall be furnished, suspend the registration of such motor vehicle or refuse thereafter to register any motor vehicle owned by such person or if such person shall not be a resident of this state, withdraw from such person the privilege of operating any motor vehicle in this state and the privilege of operation within this state of any motor vehicle owned by him, or refuse to register any motor vehicle transferred by him if it shall not appear to said secretary of state's sat-

isfaction that such transfer is a bona fide sale."

Mr. MORRILL: Mr. Speaker, we have several concerns in Portland that let cars and you drive them yourself. I should think that bill would be rather drastic for them.

The SPEAKER: The question before the house is on the motion of the gentleman from Topsham, Mr. Aldrich, to indefinitely postpone this bill.

Mr. WING: of Auburn: Mr. Speaker, this is the only piece of legislation which this Legislature will offer looking to making the highways safer. As I understand this, there are two classes of legislation. There are the statutes such as Massachusetts has enacted in the nature of special insurance compelling every operator of a motor vehicle to give a bond. Now that is a very cumbersome and difficult and expensive method. Then there is the scheme which the State of Connecticut uses as their idea to make the highways safer. It is this: If a person is convicted of a breach of motor vehicle laws, such as being convicted of operating an automobile under the influence of intoxicating liquor, thereupon that person, in order to keep his license or obtain another one, must satisfy the Secretary of State that he is a person of responsibility or if he is not, he must give a bond so that if he goes out and gets tight again and hurts somebody, that somebody may get some compensation.

You see there is a vast difference between compelling a man as a condition of obtaining a license to give a bond and this method which says that if you are a bad boy or a bad operator, you must show the authorities that license you that you have some financial responsibility.

In other words, this law is a deterrent and a means of increasing responsibility of persons who are naturally reckless. And I hardly think the criticism of my brother from Topsham is quite pertinent. This will be the only means that this Legislature will have to increase the responsibility of persons who operate motor vehicles. That responsibility now is nothing but the wish of the operator himself to be insured.

Let me say this: I had a law suit

within four or five years in which a little girl suffered an injury of a broken leg. She stayed in the hospital two or three months. Her father became responsible for a very substantial amount of money for her care and for her treatment. Suit was brought against the owner of the vehicle that injured the little girl. The case was tried before a jury. They returned a verdict and the defendant took the case into Law Court which sustained the verdict; whereupon the defendant went into bankruptcy, and the father of the little girl who had suffered the injury had to pay the bill, while the man responsible for the injury paid nothing. There was no way in which the father would be recompensed for what he had paid for the little girl. If this bill had obtained, the man who injured that little girl—by his servant, to be sure, would either have to show the courts that he was financially responsible, or he would have to put up a bond, so that if he hurt another little girl, that little girl should, as far as money was concerned, be paid something for her injury, and her parents who were responsible for the financial outlay could have some redress. I think this bill is a method in the right direction. (Applause)

Mr. HOLMAN of Bangor: Mr. Speaker, I ask for a division.

Mr. ALDRICH: Mr. Speaker, with your permission I will withdraw the motion I made and then offer House Amendment B to this act, which I think will satisfy the gentleman who has spoken, because I think that he and I are in entire accord.

Permission for withdrawal of the motion to indefinitely postpone was granted.

Mr. ALDRICH: Mr. Speaker, I would like to offer House Amendment B.

The SPEAKER: The gentleman from Topsham, Mr. Aldrich, offers House Amendment B and moves its adoption.

House Amendment B to House Document 577, an act concerning financial responsibility for damage caused by operation of motor vehicles.

Amend House Document 577 by striking therefrom, beginning in line nine, after the word "dollars", the words "by reason of the operation of

a motor vehicle, or from the person in whose name such motor vehicle is registered or from both."

Mr. WING: Mr. Speaker, if I catch the purport of the amendment, it leaves nothing to the bill. I am not afraid of the bill as it is.

Mr. ALDRICH: Mr. Speaker, that amendment leaves this in the bill—that "the secretary of state may require from any person who shall have been convicted of a violation of the law relative to operating or attempting to operate a motor vehicle while under the influence of intoxicating liquor or drugs or of a violation of the law relating to the operation of a motor vehicle upon any way recklessly, so that the lives or safety of the public are in danger, or who shall have caused the death of or injury to any person, or damage to property to the extent of at least one hundred dollars, proof of financial responsibility to satisfy any claim for damages, by reason of personal injury to or the death of any person, of at least five thousand dollars, and for damage to property of at least one thousand dollars; and if such person or persons shall fail to furnish such proof, said secretary of state may, until such proof shall be furnished, suspend the registration of such motor vehicle or refuse thereafter to register any motor vehicle owned by such person, etc."

The Secretary of State may require of all those people the security that this bill asks for.

Mr. WING: Mr. Speaker, that would not take care of the case which I have stated to this House, where the owner of an automobile was responsible for the act of his agent. He might as well be insured as the nondescript chauffeur who operated the car.

The SPEAKER: The question before the House is on the motion of the gentleman from Topsham, Mr. Aldrich, that House Amendment B to House Document 577 be adopted. Those in favor will say aye; those opposed no.

A viva voce vote being taken, the motion to adopt House Amendment B to House Document 577 failed of passage.

Mr. LITTLEFIELD of Kennebunk: Mr. Speaker, as I understand the bill, as it is now, if anyone takes my car and goes down town and runs

into any person, or in any way damages property to the amount of one hundred dollars, it is up to me to pay that bill. Then, not only that: If the Secretary of State wants to do this, he can say to me, not to the man who was driving the car, but to the owner of that car. "You cannot have a license for a car for three years," or any other number of years that he chooses. It does not seem just right to me. Perhaps you are a good friend of mine, and you come down here and get into my car and go off down town with it without my consent. Then I am just as responsible for what damage you do. I am perfectly willing to protect Mr. Wing's little girl, and I want to. I also want the privilege to do anything which you want to do with the drunken driver. But I do not think it is right for us to make any law that will say to the man who lends his neighbor his car that he is responsible for that car and that the man who takes that car makes him responsible for that car.

Let all think it over before you vote because your brother might want to take your car, your daughter might like to take that car, or your agent, if you may call it that, takes your car. If you are absolutely out of the car, under this law you cannot have a registration or a driver's license or anything else—I don't know but they would say that you cannot ride with anyone else if they were not afraid to! I don't want anyone to think that I want to take off any restriction of the law on drunken or reckless drivers or anything of the kind, because I do not. But I do not like the idea of my being responsible for someone else driving my car, to that extent. I hope you will all think it over before you vote.

Mr. McINTIRE of Norway: Mr. Speaker, it is interesting to learn that people in Maine leave their cars around loose for their friends and neighbors to drive. This statute says that the Secretary of State "may" require; it does not say that he "shall" or "must" require but simply that he "may." It seems to me we are quite safe in assuming that the Secretary of State would not require that proof of financial responsibility from persons who clearly were not at fault. It seems to me that this measure is a very careful, a very cautious, and a very little

step in the right direction. I trust it may receive passage for the benefit of the public in general.

Mr. CHASE of Cape Elizabeth: Mr. Speaker, am I correct in believing that there is now no motion before the House?

The SPEAKER: There is a pending question which has not been put as a motion. The Chair would presume that Mr. Crockett of Hollis is about to make a motion that the bill, having had three several readings, be passed to be engrossed.

Mr. CHASE: I yield to the gentleman.

Mr. CROCKETT of Hollis: Mr. Speaker, I move that this bill, having had its three several readings in the House, be passed to be engrossed as amended by House Amendment A.

Mr. SNOW of Brunswick: Mr. Speaker, I would like to be informed whether it is the law that all automobiles should be insured. If there is such a law, would it not cover what the gentleman from Auburn (Mr. Wing) suggests? Could not that man have collected from the company?

The SPEAKER: The gentleman from Auburn, Mr. Wing, may answer if he wishes to.

Mr. WING: Mr. Speaker, I did not quite catch the question.

Mr. SNOW: I would like to inquire if there is not a law obliging automobiles or other motor vehicles to be insured. If there is, could not that man go to the insurance company for the damage to that little girl?

Mr. WING: I am not aware of any statutes requiring automobiles to be insured. That is just the point. There is no such statute.

The SPEAKER: The question before the House is on the motion of the gentleman from Hollis, Mr. Crockett, that this bill be passed to be engrossed as amended by House Amendment A. Those in favor will say aye; those opposed no.

A viva voce vote being had, the motion prevailed, and the bill as amended by House Amendment A was passed to be engrossed.

(At this point Mr. Greenleaf of Auburn, assumed the Chair amid the applause of the House.)

Orders of the Day

The SPEAKER pro tem: Under matters tabled and today assigned

the Chair lays before the House the majority report of the committees on Ways and Bridges and Taxation on bill an act relating to a mill tax, H. P. 748, H. D. 206, reporting the same in a new draft, H. P. 1303, H. D. 626, under title of an act relating to a mill tax state highway fund and that it ought to pass, and minority report of the same committee reporting ought not to pass on the same bill, tabled April 12 by Mr. Kitchen of Presque Isle, pending acceptance of either report; and the Chair recognizes the gentleman from Presque Isle, Mr. Kitchen.

Mr. KITCHEN: Mr. Speaker, I would inquire whether there is a motion pending.

The SPEAKER pro tem: The pending question is acceptance of either report. There is no motion.

Mr. KITCHEN: Mr. Speaker, I move the acceptance of the majority report. I regret to say that physically I do not feel able to speak this morning, but I move the acceptance of the majority report and yield to the gentleman from Van Buren, Mr. Hammond.

Mr. HAMMOND: Mr. Speaker, I thought I had moved the acceptance of the minority report. Is that on the record?

The SPEAKER pro tem: No such record shows here. The motion before the House is the motion of the gentleman from Presque Isle, Mr. Kitchen, that the majority report be accepted.

Mr. HAMMOND: Mr. Speaker, opposing that motion I have a few figures here that I have prepared, and if I may, I will read them. It is agreed by all that highway construction should be carried forward. The people want it. The development of the State requires it. For this purpose there must be annually provided as a minimum \$1,200,000 for state highway construction of a permanent character approved by the Federal Government; to which will be added annually \$700,000 Federal money. There must also be raised for state aid construction about \$1,880,000, and for third class highways \$700,000. A large amount is also necessary for bridge construction, but ample funds are available for that purpose. Last year \$714,000 was paid from bridge bond money.

In the year 1926 ending June 30, for

all highway and bridge purposes the State expended \$7,036,000, and during the four months of 1926 since June 30, it expended, or appropriated, \$2,570,000 more.

All highway work for the coming years is now provided for by present law, except the most important part, the state highway construction. To carry on this main line work we now have to rely on one cent of the gas tax, or about \$700,000 estimated for the current year. This is an amount insufficient to absorb the Federal aid money, of which we are in arrears with \$1,400,000 awaiting us in Washington. This \$700,000 is hardly more than one third of what we should have to carry along this work, as it has been done during the past year, and to take full advantage of the Federal aid. We now raise over \$1,000,000 per year by direct state taxation for highway purposes, on second and third class roads—nothing for state highways. Money for the latter work has always come from bonds, payable both as to principal and interest from motor vehicle fees; also for the past one and one-half years from one cent of gas tax. The last \$3,000,000 of bond money voted in 1925 for highways is now used; while over \$2,200,000 is still available for bridges, and in addition to that about \$2,500,000 under the provisions of the bridge act, coming from counties and towns; a total of \$4,700,000.

How shall the necessary new money be raised? The majority report recommends it be by a one-half cent mill tax on all the property of the State, and by an increased gasoline tax. This is a change in the highway construction policy of the State and means that hereafter taxes are to be increased to carry the construction costs.

The minority report oppose both of these taxes as unwise, against the interests of the State at this time, and unnecessary. The minority submits that there is nothing in the present financial or industrial situation in this State which either demands or otherwise warrants the laying of a further mill tax, or any part thereof, upon all the property of all citizens for highway purposes. This is no time to serve notice on industry, present or prospective, that new burdens are to be laid upon it. A decrease, however slight, would be

welcomed and broadcast as good news—good publicity for the State. Don't make an unpopular mistake of adding a new tax even if it can be done without increasing the present tax rate.

To make up the necessary amount of funds, a gas tax, additional to the present one, is also proposed. That in our judgment is neither necessary nor wise. It is not altogether the extra one cent on the gallon. It means that in the State of Maine gas will be more costly than in other eastern states; a higher tax than other New England states impose. The effect on the visitor, the tourist, is bad. An additional gasoline cost of 33 per cent over Massachusetts is not a subject of favorable comment. It is also, of course, an increased tax on our own motor vehicle users. They have been patient, are paying for the highways to a large extent, from generous registration fees and a 3c gas tax, have even seen much of their money spent in ways and on ways which did not meet their approval. Like the goose that is being picked, they have not yet squawked; but they are likely to do so when this additional cent is imposed, especially since it is unnecessary to accomplish the object sought. A three cent tax is enough! It is said that a gas tax is about to be imposed in Massachusetts—2c per gallon—but it is not explained that this tax will go to reduce auto registration fees, and bring them down to three dollars per car.

Now, granting that we all want sufficient funds for highway construction, what is the solution? It is a bond issue, one and one-half million per year, \$12,000,000 total, which will bring to us \$8,000,000 of Federal money: and substantially complete the present State highway system. We have now learned to lay down roads of an enduring type when properly maintained, which will long outlast the term of the bonds.

A bond issue to spread over the years can safely be financed on present rates of gas tax and motor vehicle fees, provided only, that you shift over the present one cent of gas tax, which now goes from construction to maintenance, an amount estimated at \$700,000 for 1927. Make this change in the law to take effect only when a bond issue shall be adopted by the

people, you will then no longer need this 1c tax for construction purposes and it will go to maintenance, where it most properly belongs; and will by so much relieve the motor vehicle fees of maintenance requirements, and under the terms of the present law make so much more of the registration fees as is necessary available for bond requirements. A bill to accomplish this is now on the table in the Senate, awaiting final action of this Legislature as to whether a bond issue resolve shall be submitted to vote of the people.

During the last 10 days schedules and schemes for highway financing have changed almost daily. The latest is to use a treasury surplus and auto fees for construction purposes; the fees directly, the surplus by indirection through paying bonds and interest on bonds. Both methods are makeshifts and can continue only temporarily; the surplus, raised from excess taxes only so long as it lasts; while the registration fees either will or should automatically end as soon as the surplus is gone because these fees are now properly pledged to bond requirements and to maintenance—not to construction. These schedules, showing sources of revenue of over \$8,000,000 for a road program are misleading when they are used to solve our present requirements.

They include maintenance money, the third class highway mill tax, the special resolves, the \$300,000 direct appropriation which is always provided for second class highway construction, the money raised by cities and towns (amounting to over \$1,000,000) and bridge bond money; and finally and especially federal aid money to the extent of \$700,000 per year. Now the Legislature need not be concerned about third class highway funds, or second class, or special resolves, or the money to be raised by municipalities, or counties, or bridge bonds of which we now have over \$2,000,000 in the treasury. These things were provided for by general law before this Legislature came here and will go on from year to year unless changed. What we are right now concerned with is:

1st. To find a way to continue in 1927 a maintenance fund equal to the past year's.

2nd. To find ways and means to adequately carry on, as heretofore, State highway construction; that is, roads of the first class, which serve 81 per cent. of the people and 80 per

cent. of the valuation of the State—and

3rd. To make this construction fund large enough to meet and absorb the \$700,000 per year of federal money to which the State of Maine is entitled; for which we are taxed by the federal government and which lapses and is lost to us if not promptly met by at least \$1,200,000 of our money each year. The fact is we are now in arrears, and there is now awaiting us in Washington \$1,400,000. On July 1 there will be \$700,000 due us.

Therefore for the year 1927 either reissue \$500,000 of the reissuable bonds (aggregating about \$570,000) now retired; or use an adequate amount of the treasury surplus, as has been recently suggested, to retire bonds this year only, and apply a like amount of registration fees thus released from bond requirements for this year only, to construction. Or if you do not want to reissue bonds or use treasury surplus, then use \$500,000 of the \$2,200,000 bridge bonds now in the treasury for highway construction, with a provision, similar to that passed in 1925, that the amount so used be credited out of any future highway bond issue, or other available funds.

Accepting the figures put out by the committee on ways and bridges, there are now available for bridge construction under the law \$4,700,000, a sum ample to take care of bridges for at least three or four years. Since 1913 the State has used less than \$3,000,000 of bonds for bridge construction.

The necessary funds can be provided without an increase in the gas tax, or a one-half mill tax or any other added tax burden. It can be done by a bond issue up to \$1,500,000 per year, so as to absorb the federal money now in arrears, usable both for bridges and State highways, and financed wholly by automobile fees on their present basis. This will ensure the possibility, at least, of a constructive program carried over a period of years, commensurate with what other states are doing—a method approved by the Bureau of Public Roads in Washington and approved by the voters of Maine in a ratio of five to one every time they have had a chance to express themselves.

One other thing you can do: Pass your one-half mill tax and pass your one cent gas tax, and then to the end of each put these words: "This act shall not become effective unless a re-

solve proposing an amendment to the Constitution to provide for a bond issue shall be rejected by the people voting in September and if the bond issue be so rejected the act shall take effect."

Then a square issue will be presented to the people. Which do they prefer—to pay a tax to build their roads, or bonds?

Mr. LITTLEFIELD of Kennebunk: Mr. Speaker, I do not know a thing about this road program, only what I have been told. I was told this morning that this is a measure to be put upon the table and taken up this afternoon with an amendment to it. Also that the half-mill tax will not become effective until January 1, 1929. Further, that there was plenty of money available with the one cent gas tax, and a sinking fund now in the treasury to meet all requirements of road construction. Now I was told that by the Chairman of the Ways and Bridges Committee. He told it to me in all sincerity, and he did not say at the end of it "don't say that I said anything." So I am telling you where I got my information.

It is talked about the State House that I have been objecting to the road program, which I have not done. There is no man in this State House that wants better roads more than I do, and I am perfectly willing to help pay for my part of those roads. Mr. Deering of the Finance Committee told me how they would get their money. He also told me how we—I say "we" because I mean the people—how we should get \$700,000 to pay for our road construction, which is now in the treasury downstairs. As I understood it, this was all threshed out last evening. I had nothing to do with the threshing out; but the people who did told me this morning that it had come to this—that we could have a half-mill starting January 1, 1929, which, you all understand, would mean the beginning of another Legislature. At that time the Legislature could do what they saw fit with that half-mill tax. They would not be obliged to have it. In other words, that the half-mill tax was not in this year or next year. If there is no need of raising that amount of money, why do we raise it, to put \$44,000 in the treasury that can be applied to road building. It simply means a little act put in here which would take

perhaps five minutes. I would like very much to have this road program, this half-mill program, held up in some way so that we could see whether what I am telling you is the truth. Possibly it is not the truth. But that it what was put up to me this morning in regard to the half-mill tax.

I understand that there are members of the Legislature who will vote for a half-mill tax provided the other fellow will vote for a gas tax. On the other hand, one fellow will vote for the gas tax if the other man will vote for the mill tax. It seems to me wrong and foolish to put in another million dollar transaction to leave for the next Legislature or perhaps for Governor Brewster to fool away—which he can do, but I do not think he will. But he can do it because he has the money to fool away. In other words, I mean this: That if we raise a half-mill tax and a gasoline tax, it will give us five or six hundred thousand dollars that we do not need if we enforce the laws we have. There is no reason why they should not be enforced and make all the roads which the road program calls for.

These men have been all winter making up the road program. I see no reason for our trying to tear it to pieces. I do not think that the men on that committee should expect this Legislature to raise six or seven hundred thousand dollars that there is no need of raising; and I would like this bill to lie on the table until the next legislative day, or whatever you call it, or until we recess sometime; this afternoon is all right or this evening is all right; and let us see if what I was told about the half-mill tax is correct, because I see no reason for raising this money if we do not need it to use.

The SPEAKER pro tem: Does the gentleman from Kennebunk make such a motion?

Mr. LITTLEFIELD: Mr. Speaker, I would like to do so. The only thing I am doing it for is that I think we can save that amount of money and at the same time satisfy the people who want to raise the half-mill tax. That is what I was told. And if it is not so he misquoted to me. I make that as a motion.

The SPEAKER pro tem: The gentleman from Kennebunk moves—

Mr. ROUNDS of Portland: Mr.

Speaker, I rise to ask a question. Is that money a book account or is it money?

Mr. LITTLEFIELD: It is cash.

The SPEAKER pro tem: All those in favor of the motion of the gentleman from Kennebunk, Mr. Littlefield, that this matter lie on the table and be taken up later in the day will say aye; contrary minded, no.

A viva voce vote being taken, the motion prevailed.

The SPEAKER pro tem: The Chair lays before the House the second today assigned matter, majority report of the committees on Ways and Bridges and Taxation on bill an act relating to a tax upon gasoline, H. P. 755, H. D. 212, reporting same in a new draft, H. P. 1304, H. D. 629, under same title, and that it ought to pass, and minority report of same committees reporting ought not to pass on same bill, tabled April 12 by Mr. Littlefield of Kennebunk, pending motion of Mr. Ingraham of Bangor to accept majority report; and the Chair recognizes the gentleman from Kennebunk, Mr. Littlefield.

Mr. LITTLEFIELD: Mr. Speaker, I would like for this one to go with the other so that they may be taken up together. I do not feel that it would be fair to the gentleman to take this up and perhaps at this time kill it or even make it go through and raise a one-cent tax. I think it would be fair to everyone if these two measures go together.

The SPEAKER pro tem: The gentleman from Kennebunk, Mr. Littlefield, moves that this matter lie on the table to be taken up later in the day.

A viva voce vote being taken, this motion prevailed and the matter was retabled.

The SPEAKER pro tem: The Chair lays before the House the third matter today assigned, resolve to pay certain deficiencies, S. P. 603, S. D. 360, tabled by Mr. Deering of Saco April 12, pending final passage; and the Chair recognizes the gentleman from Saco, Mr. Deering.

Mr. DEERING: Mr. Speaker, I move to reconsider the vote whereby this resolve was passed to be engrossed, for the following reasons: My purpose is to offer an amend-

ment. And my reasons for that amendment, in explanation, are these: The State Auditor sent up a bill of certain department deficiencies which must be taken care of. Now in order to be a department deficiency, it must be bills that fell due a year ago July 1st, with no funds, the funds having lapsed so that there was nothing to pay them. The figure representing this deficiency was thirty thousand dollars July 1st, in which certain departments had no funds to meet these figures at that time. There is thirty thousand dollars in this bill which should be taken care of from the contingent fund of the Governor and Council rather than be passed by this Legislature as a direct deficiency.

Therefore I offer an amendment striking out thirty thousand dollars from this bill which the Governor and Council have agreed to take care of from their contingent fund which is for the very purpose which this bill calls for. Therefore, Mr. Speaker, I move the adoption of this amendment.

On motion by Mr. Deering the House voted to reconsider its action whereby this resolve was passed to be engrossed.

Mr. Deering offered House Amendment A and moved its adoption as follows:

House Amendment A to Senate Paper 603, Senate Document 360, entitled resolve to pay certain deficiencies.

Amend said resolve by striking out the words "fifty-five" in the first line and inserting in place thereof the words "twenty-five", so that said resolve, as amended, shall read as follows:

"Resolved that the sum of twenty five thousand and twenty-two dollars and sixteen cents be and hereby is appropriated to pay such deficiencies as are shown by the list presented by the State Auditor to the Legislature as amended and allowed by the committee on Claims." Thereupon House Amendment A was adopted.

Mr. LAIT of Old Town: Mr. Speaker, I move that the bill lie on the table and that the amendment be printed.

A viva voce vote being taken, the

motion failed of passage, and the resolve as amended by House Amendment A was passed to be engrossed.

The SPEAKER pro tem: The Chair lays before the House the fourth today assigned matter being majority report of the committee on Judiciary on bill an act relating to the practice of osteopathy, S. P. 366, S. D. 143, reporting same in a new draft, S. P. 617, S. D. 366, under same title and that it ought to pass, and minority report of the same committee reporting ought not to pass on same bill, tabled by Mr. Hale of Portland, April 12, pending acceptance of either report; and the Chair recognizes the gentleman from Portland, Mr. Hale.

Mr. HALE: Mr. Speaker, I yield the floor.

Mr. CARLETON of Portland: Mr. Speaker, I move that the majority report have passage.

Mr. VARNUM of Westbrook: Mr. Speaker, I am very sorry that I have not the flow of oratory that was poured loose about this bill in the Senate yesterday. I am not gifted with a silver tongue or a golden flow of oratory; but from my knowledge of what osteopathy has done along these lines,—although not legal in this State to practice obstetrics,—up to the time that the child was born osteopathy was used in a case that I have in mind, and I have been told in other cases in the State. The regular M. D. was called in at the time of birth, that is, he was called but he did not get there until half an hour after the child in this particular case that I know of was born; so he had nothing to do with the birth of the child because the mother had osteopathic treatment up to that time. I have talked personally with that mother. It is a delicate subject, of course to talk on, but we have to approach these things in the right spirit.

For a good many years the osteopaths have been trying to get the right to practice obstetrics, and from what I have studied into it, and from what I know about the study that they put into it, and from the fact that there was no opposition to this bill in the committee hearing—and I attended the whole of it because I am

in favor of it—I do not see why we should not give the osteopaths the right to practice what they spend more time to study than do the regular M. D.'s. It is particularly true that they have not the right to practice surgery and perhaps it is well that they should not. I know there are times when surgery has to be used in obstetrics. I will admit that on the start, but those cases do not run over twelve or fifteen per cent as statistics show.

I am fortunate in having a wife who is a registered nurse, not registered in this State but still she is called and the doctors stand behind her. She has practiced under both osteopathy and regular M. D.'s in obstetrics, and except in cases where surgical treatment is needed, I can assure you from what she tells me that the osteopath's method is very good and is much easier for the mother. In the particular case that I have spoken of, quite a while before the child was born, the mother had taken to her bed. She happened to have to work for her living to help support the family. It was the safe thing for her to do. You will all recognize that if you know anything about it. She was advised to try osteopathy treatment, which she did. She was put on to her feet and went to her work and that work I know was quite laborious. She worked until within three days of the time the child was born, solely by osteopathy treatment.

With the reception that this bill received in the Senate I do not expect to talk this House around to accepting the minority report, but I merely want to go on record as being in favor of it. I know it is a good thing, and I hope that the minority report will receive passage.

Mr. HATHAWAY of Milo: Mr. Speaker and members of the House: I do not want anyone here to think that I am actuated by any motive of jealousy or personal greed in rising as I do to speak on this matter, because it has always been my practice to either speak good of anyone or speak not at all.

As far as the practice of osteopathy goes, I know nothing about it. I don't even know enough about it to "knock" it. I am speaking as a general practitioner, one who has done country practice for twenty-six years. Now the specialist in the practice of medicine—understand I am speaking as an M. D.—but the specialist in

medicine—there is no line of demarkation—a man doing eye, ear, nose and throat work must necessarily have to do some surgery; he must have to do some internal medicine. The surgeon has to do some medical practice. I know of no place in general practice where a man needs knowledge of all branches of his profession as in obstetrics. He much at any time be prepared to treat mental and nervous diseases,—conditions of the eye, partial or total loss of sight, acute conditions of the heart, of the lungs and of the kidneys. I am wondering—because I do not know—what the osteopath would do in a case of labor if he was suddenly confronted by acute mania, he was suddenly confronted by complete loss of vision of the mother, if he was confronted by the horrid condition of eclamptic convulsions, if at the time of labor he found a transverse or breach presentation requiring the need of forceps, or if at the time of delivery he got what is quite common and that is a type that needs surgical interference. I am willing to admit that the large majority of obstetric cases if left entirely alone will come along all right. It is in those few cases that help is needed, and often times when they need help they need it at once. Often times we do not have time to even seek for an assistant; I know of nothing where a man is thrown on his own resources so much as the obstetrician. I am wondering what would happen, what the osteopath would do, supposing he had to have a cesarian or supposing he was confronted by a placenta praevia which means the afterbirth coming ahead of the child, a very dangerous condition. Mr. Speaker, and members of the House, I am wondering how many of you would care to have your wives, your daughters and your sisters attended in obstetrics by anyone who is not allowed to give internal medicine or do surgery and who are liable to be confronted by these conditions. I thank you.

Mr. CLIFFORD of Bath: Mr. Speaker, I would like to call your attention to a few facts that have been handed to me by gentlemen who are osteopaths and leave it to the judgment of the House.

Massachusetts requires two years pre-medical training and four years of regular medical training and also a year of hospital work. The studies are the same as the regular medical

school and the same hours of study. The students stand ready to take any regular medical examination, take the same examinations as Tufts, Harvard, and other colleges.

Another thing, it is compulsory to handle twenty maternity cases before graduating. Teachers are regular medical men, osteopaths in Massachusetts are regular medical men. Osteopathy is growing in Maine. There is no short cut to osteopathy. The medical board requires an examination in obstetrics before granting a license in Maine and then refuses to let them practice it.

Examinations are hard. The head of the Massachusetts Board of Registration is an osteopath and has been for five or six years. Chiropractic treatment is entirely different. It deals with the spine alone and that only requires an eighteen months' course. I submit those are the facts that have been told me by gentlemen of the profession.

Mr. VARNUM: Mr. Speaker, correcting a statement I made in random remarks, I want it understood that I am in favor of the majority report, ought to pass.

Mr. ALDRICH of Topsham: Mr. Speaker, I had not intended to say anything on this bill, but I feel that I should at least indicate to the House what evidence was submitted to the Judiciary Committee upon which I believe the majority of the Judiciary committee presented this report.

It appears that the osteopath has, as I recall it, a four years' course, the same length as the medical man. The evidence presented to us indicated that the osteopath, the student, is required to spend as much time on the average as the medical student in the study of obstetrics and also receives practical work in obstetrics comparable to what is required in the medical school of medical students. In addition to that the State of Maine, before it will permit an osteopath to practice here, requires that the applicant shall pass an examination, and we were very careful in our inquiry in this respect to pass an examination of obstetrics which is of equal degree to the examination which the medical students have to pass. It would seem that under those circumstances the osteopathic student is certainly worthy to practice obstetrics, and I cannot understand for the life of me

how, if the State of Maine requires an examination in obstetrics, it then refuses to permit the man who has successfully passed such examination to practice.

If I may be permitted to make a personal allusion—and I may say that this is my main reason for speaking here this morning—I would ask your indulgence for a moment that I may pay a tribute to osteopathy. A very intimate member of my family is at the present time lying in a hospital, and I wish to say that before she went she was examined by a number of medical men in the State of Maine; but I thank God that there is such a thing as osteopathy and that there are osteopaths. I say to this House, if you will pardon this personal allusion, that as the result of an examination and the findings by an osteopath, I believe that that intimate member of my family is today on the high road to recovery. I learned last night that the surgeon who operated in that case, who is himself a medical man, pronounced that if that condition had not been discovered and taken care of, probably in the course of a very few months that person would have passed on. I wish to say to you that in view of this, in view of what the State of Maine requires of these men, in view of the struggle that the osteopaths have had with the medical profession, as you all know for the last ten or fifteen years, a fight similar to the fight which when I was a boy was carried on between the two schools of the medical profession and I have two uncles who were allopaths and I remember well that those allopaths were very bigoted and they would not permit a man of the homeopathic school to practice. Today they have come together and the allopaths are not very much different from the homeopaths. As I say we have just the same situation with regard to the antagonism of the medical fraternity to the osteopaths. I will say that I am not prepared to admit that I would submit any case to them! I do not say that at all. I go to the medical men; but I say in fairness and justice, based upon what these men have accomplished—and everyone of you know of cases in which they have accomplished wonderful things—based upon the claim which was made without dispute so far as I

know—it was not disputed before the Judiciary committee—that in the practice of osteopathy they had devised a means by which they can relieve woman in this time of trial, they can relieve her of much pain. If that be so, I say for God's sake let's let them practice osteopathy and afford this relief in that period of stress which every man here who is married appreciates and knows the horror of. (Applause.)

Mr. MCINTIRE of Norway: Mr. Speaker and members of the House: I would like to say that I have never employed an osteopath and I haven't the least idea of employing one; but I fail to see any reason why we should refuse the members of any profession the right to practice the branches of their profession in which they can pass the required examination. (Applause.)

The SPEAKER: The question before the House is the adoption of the majority report.

Mr. HATHAWAY: I call for a division.

The SPEAKER: A division is requested. All those in favor of accepting the majority report will rise and stand until counted and the monitors will return the count.

A division being had,

Seventy-five voting in the affirmative and sixteen in the negative, the motion to adopt the majority report prevailed.

(At this point Speaker Martin resumed the Chair, Mr. Greenleaf of Auburn retiring amid the applause of the House.)

Mr. DUDLEY of Calais: Mr. Speaker, this bill in the Senate was indefinitely postponed. I now move that it be indefinitely postponed.

A viva voce vote being taken the motion to indefinitely postpone failed of passage.

On motion by Mr. Carleton of Portland this bill had its two several readings and under suspension of the rule its third reading and was passed to be engrossed.

The SPEAKER: The Chair lays before the House a matter which was assigned for today but does not appear on the calendar—the report of the committee on the investigation of the Highway Department; and the Chair recognizes the gentleman from Portland, Mr. Hale.

On motion by Mr. Hale, the House

voted to accept the report of the committee and it was ordered that it be placed on file and the committee discharged.

The following reports were taken up out of order under suspension of the rules:

Mr. Littlefield from the committee on legal affairs reported "ought to pass" on bill an act to make certain the legal boundaries of the town of Old Orchard and set off to the town of Old Orchard from the city of Saco any right, title or interest which the city of Saco may have within said boundaries (H. P. 873) (H. D. 230).

Mr. DEERING of Saco: Mr. Speaker, I really do not like to oppose the report of this committee, but in justice to myself and the community I represent I feel that I must. About two weeks ago there was a report from the committee on legal affairs on this same matter referring it to the next Legislature. Their reason for so referring was that legal notice had not been given to the city of Saco by the town of Old Orchard fourteen days prior to the meeting of the Legislature under the decision of the supreme court. It would seem to me that there has been no change in the past few days as to the condition in regard to the filing of this notice. It also seems to me that in fairness the first report should have been accepted and passed. There arises a slight opposition, I do not know how much from the city of Saco to the passing of this bill, and I cannot help feeling that the powers in charge of the city government of the city of Saco should be accorded the rights which would naturally be expected under the law which calls for a fourteen days' notice. Therefore, Mr. Speaker, not to take more time than necessary, I wish to move you that this bill be referred to the next Legislature.

Mr. MILLIKEN of Old Orchard: Mr. Speaker, in regard to the question of notice there is a statute requiring notice of fourteen days before the convening of the Legislature. There has been a ruling, and the attorney general made a statement that this law is seldom recognized in the Legislature. In regard to giving the notice, we went to the city of Saco, talked with the mayor and aldermen and told them what we were going to do and they said go ahead. The only argument they have got is the question of notice and in fairness to my town I hope the motion will not prevail.

Mr. LITTLEFIELD of Kennebunk: Mr. Speaker, I was a member of the committee before which this matter was brought, and I wish to say just a few words. Perhaps I ought not, but anyone who is familiar with Old Orchard knows that there is a pier there that goes directly out into the ocean—I don't know how far, but I am going to say four hundred feet. When Old Orchard was set off from the city of Saco, they set Old Orchard three miles square to low water mark. Low water mark does not take in this pier. The pier extends below low water mark. All the town of Old Orchard asks that it be permitted to have this piece of ocean which takes in the pier. As a matter of fact you all know what Old Orchard is in the summer time. There are thousands and thousands of people there, and the town of Old Orchard has no police authority on that pier at all, and what they ask is simply to get that authority. The only objection the city of Saco has to Old Orchard taking that land over is this: Two years or four years ago they conceived the idea that they owned this pier and they taxed it, and at that time the man would not pay his taxes. The city of Saco sued him for his taxes. As I understand it the only thing they want this held up for is this: The man who owns the pier owed the city of Saco two years' taxes, so the city of Saco says. Now they say that in order to hold the two years' tax that they must not set this off to Old Orchard because if they do they cannot collect their tax. Any man in this House knows that if this man owed the city of Saco four years ago and has not paid it, he owes it now. There are two small islands out in the ocean a mile and a half or two miles that would not come into this if the line was drawn straight and drawn as they want it drawn. It is said that the line is perfectly right. If they should ever set off, it would be all right, and the valuation of these two islands to the city of Saco on which they receive taxes is \$500. I do not mean that they receive \$500 in taxes but the valuation of the islands is \$500. You can see that the financial end of it does not enter in in either case; but you can see how it would affect the town of Old Orchard to only own to low water mark. The tide comes in and they own that, and when the tide is out they own down here. I don't understand that the city of

Saco cares in any way whether Old Orchard has this or not. They are simply going on the technicality that Old Orchard did not give them fourteen day's notice, and as I understand it, they did give seven, eight or ten days and went up and had a talk with them and they were all perfectly willing that they should set this piece of ocean—it is not a piece of land, it is a piece of ocean—that they should set over to the town of Old Orchard so that they might police what there is over the ocean. I hope the gentleman's motion will not prevail.

Mr. DEERING: Mr. Speaker, the only opposition that I have to this matter is this: I do not feel that I can enter into the agreement changing the boundary line. The city government of the city of Saco feels that it has not the authority to enter into such an agreement without first allowing the voters of the city of Saco the privilege of understanding the situation. Personally I have no objection if this thing can be done, and it seems to me that an agreement could be reached between the city of Saco and the town of Old Orchard; but I feel that the people of the city of Saco, who are the real owners, should have the privilege of understanding the matter. Then I would have no further objection when that one thing is removed; but it cannot be removed by the passage of this act at the present time.

Mr. ROUNDS of Portland: Mr. Speaker, I would like to ask a question of the gentleman from Saco (Mr. Deering) or the gentleman from Old Orchard (Mr. Milliken).

The SPEAKER: The gentlemen may answer if they desire.

Mr. ROUNDS: Who is it that asks permission of the United States Government to build this pier? Is it the selectmen of Old Orchard, or the city of Saco?

Mr. DEERING: Mr. Speaker, as I understand it, it was the selectmen of the town of Old Orchard. There is a fight on now over the construction of an addition to the pier.

Mr. ROUNDS: I would like to ask one more question. Why did not the city of Saco at that time, if Old Orchard asked for it, why didn't they purchase at that time?

The SPEAKER: The gentleman may answer if he wishes.

Mr. DEERING: I know nothing

about the situation only as it appears here this morning.

The SPEAKER: The question before the House is upon the motion of the gentleman from Saco, Mr. Deering, that this bill be referred to the next Legislature.

Mr. MILLIKEN: Mr. Speaker, I ask for a division.

The SPEAKER: A division is requested. As many as are in favor of the motion that the bill be referred to the next Legislature will rise and stand until counted and the monitors will return the count.

A division being had,

Ninety-nine voting in the affirmative and 55 in the negative, the motion failed of passage.

On motion by Mr. Milliken of Old Orchard, the report of the committee ought to pass was accepted; and on further motion by the same gentleman the rules were suspended and the bill given its several readings and passed to be engrossed.

Mr. Ayer from the committee on Ways and Bridges on resolve in favor of Old Toll Bridge in the town of Bethel, Oxford county, H. P. 196, reporting same in a new draft, H. P. 1322, under same title and that it ought to pass.

Mr. WING of Auburn: Mr. Speaker, I do not see as there is anything in the resolve ordering it paid by the town of Bethel.

The SPEAKER: The Chair will state that unless the words "to aid the town of Bethel" can be construed to mean to pay to the town of Bethel, there does not appear to be anything.

Mr. WING: Mr. Speaker, I have no interest in the matter except to have it right.

Mr. MERRILL of Dover-Foxcroft: Mr. Speaker, I think, answering the gentleman, that that resolve was drawn just as all resolves are for bridges coming under the regular bridge act.

On motion by Mr. Brown of Bethel, the rules were suspended and the resolve had its two several readings and was passed to be engrossed.

Mr. Kitchen from same Committee on Resolve in favor of bridge in the town of Clinton (H. P. 413) reported same in a new draft (H. P. 1320) under same title and that it "ought to pass."

(On motion by Mr. Cain of Clinton the rules were suspended, the

resolve had its two several readings and was passed to be engrossed.)

Mr. Merrill from same Committee on Resolve in favor of Depot Bridge between the towns of Baldwin, Cumberland County and Cornish, York County (H. P. 686) reported same in a new draft (H. P. 1321) under same title and that it "Ought to pass."

(On motion by Mr. Lowell of Lincoln, the rules were suspended, the resolve had its two several readings and was passed to be engrossed.)

Mr. Pike from same Committee on Resolve in favor of Piscataquis River Bridge in the town of Howland, Penobscot County (H. P. No. 769) reported same in a new draft (H. P. No. 1323) under same title and that it "Ought to pass."

(On motion by Mr. Deakin of Howland, the rules were suspended, the resolve had its two several readings and was passed to be engrossed.)

Mr. Metcalf from same Committee on Resolve in favor of Sebec Village Bridge—Sebec, Piscataquis Co. (H. P. No. 486) reported same in a new draft (H. P. No. 1325) under same title and that it "Ought to pass."

(The rules were suspended, the resolve had its two readings and was passed to be engrossed.)

Mr. Marden from same Committee on Resolve in favor of Hiram Bridge in the town of Hiram, Oxford County (H. P. No. 206) reported same in a new draft (H. P. No. 1326) under same title and that it "Ought to pass."

(On motion by Mr. Pendexter of Hiram, the rules were suspended, the resolve had its two several readings and was passed to be engrossed.)

Mr. Kitchen from same Committee on Resolve in favor of Molunkus Bridge in Macwahoc Plantation, Aroostook County (H. P. No. 635) reported same in a new draft (H. P. No. 1324) under same title and that it "Ought to pass."

(The rules were suspended, the resolve had its two several readings and was passed to be engrossed.)

Same gentleman from same Committee on Resolve in favor of Upper Bridge in the town of Frankfort, Waldo County (H. P. No. 759) reported same in a new draft (H. P. No. 1327) under same title and that it "Ought to pass."

(The rules were suspended, the resolve had its two several readings and was passed to be engrossed.)

Passed to be Enacted

An act relating to compensation of judge of probate of Cumberland county.

An act relating to compensation for injuries received by State employees.

An act for the protection of black bass in the inland waters of the State.

An act granting the right of eminent domain to electric power companies doing a public utility business.

An act relating to the grading of apples.

Finally Passed

Resolve on the pay roll of the Senate of the 83rd Legislature.

Resolve for screening certain lakes and ponds in the State.

Resolve in favor of the commissioners of pharmacy of the State of Maine.

Resolve to celebrate the 200th anniversary of the Battle of Lovewells Pond.

Resolve in favor of General Mark L. Hersey.

Resolve in favor of Simon Soctomah, representative of the Passamaquoddy Indians to the 83rd Legislature.

Resolve in favor of Laurence Mitchell, representative of the Penobscot Indians to the 83rd Legislature.

Resolve in favor of the chaplains of the House of the 83rd Legislature.

Resolve in favor of the State park commission.

Resolve in favor of the town of Caribou, for reimbursement of monies expended in defending five actions at law.

Resolve in favor of the town of New Vineyard, for reimbursement for damage done by bears in killing sheep.

Resolve to reimburse the town of Webster for support of Paul Pomeroy and wife, State paupers.

Resolve in favor of the town of Hiram for refund of taxes erroneously paid.

Resolve in favor of the town of Robbinston, for reimbursement for money expended on road.

Resolve in favor of the town of Kennebunkport, for reimbursement for services and money expended in caring for James Ford.

Resolve in favor of B. E. Lurchin, compensating him for storage of dynamite and exploders in his building.

Resolve in favor of the town of Leeds, for reimbursement for money expended in rebuilding a bridge.

Resolve in favor of George Grant of Bangor, compensating him for

personal injuries received in a collision with a moose.

Resolve to appropriate funds for the construction of and preparation for the use as an air port a portion of Muster Field, Camp Keyes, Augusta, Kennebec County, Maine.

Resolve to provide for the payment of interest on Kennebec Bridge bonds during the period of construction of said bridge and until tolls and rentals of said bridge shall become available therefor.

Resolve in favor of a fish screen at the outlet of Messalonskee Lake, in the town of Oakland, county of Kennebec.

Passed to be Enacted

An Act relating to advertising signs upon public highways.

An act relating to primary elections, S. P. 626, S. D. 371.

Mr. CHURCH of Hallowell: I move that this act be tabled.

A viva voce vote being doubted,

A division was had

Thirty-five voting in the affirmative and 21 in the negative the motion prevailed.

Mr. WING of Auburn: Mr. Speaker, I rise to the point of a quorum.

The SPEAKER: The Chair will count.

Mr. WING: Mr. Speaker, I move that the door be closed, locked and nobody admitted.

The SPEAKER: The Chair does not feel that that motion is in order to rule out members from attendance at their duties. There are 101 members present, which is a quorum.

Mr. WING: Mr. Speaker, I now understand the Chair to rule that a quorum is present in the chamber.

The SPEAKER: The Chair so rules.

Mr. CHURCH: Mr. Speaker, if in order, I would like to take the matter from the table and offer an amendment.

On motion by Mr. Church of Hallowell the House voted to reconsider its action whereby this bill was passed to be engrossed, and that gentleman offered House Amendment A and moved its adoption.

House Amendment A to Senate Paper 626, S. D. 371, entitled an act relating to primary elections.

Amend by inserting in Section two after the word "municipal" the words "or general." Also by inserting in section three after the words

"copies of all" the words "voting and."

Mr. CHURCH: Mr. Speaker, this amendment provides for either municipal or general election governing the use of the registration list in the making up of the enrollment list. There are some places where the municipal election only occurs biennially and this allows the case of the latest registration list in those cases.

The second part of the amendment would require that both the voting list and the enrollment list shall be sent to the ward officers for use in the primary election. As at present provided in the law the enrollment lists only are required to be sent, and this fact has been taken advantage of in many cases so that only one list was there for use and the ward officers have been unable to tell whether people applying for new enrollment were properly registered as voters.

Thereupon House Amendment A was adopted and the bill as amended by House Amendment A was passed to be engrossed.

An Act to amend Section 5 of Chapter 95 of the Revised Statutes of 1916, in relation to mortgages of real estate.

An Act relating to the compensation of the Judge of Probate of Sagadahoc County.

An Act conferring authority upon municipal officers to enforce the laws and the rules and regulations relating to trucks upon the highway.

An Act relating to licensing operators of motor vehicles, tractors or trailers.

An Act relating to compensation of members of the Legislature.

An Act relating to the Mill Tax Highway Fund.

An Act to regulate the trapping of fur-bearing animals.

An Act relative to the War Bond Sinking Fund.

An Act relating to front lights on motor vehicles and tractors.

Finally Passed

Resolve in favor of the Bangor State Hospital. (S. P. No. 10) (S. D. No. 152)

Resolve in favor of the Augusta State Hospital.

Resolve in favor of the Central Maine Sanatorium for the construction and equipment of a Nurses' Home.

Resolve in favor of a feeding station for fish at the outlet of Sebago Lake, in the county of Cumberland.

Resolve to provide for a revision of the Statutes.

(Emergency Measure)

An act to apply surplus funds towards State construction.

The SPEAKER: This being an emergency measure and requiring a two-thirds vote of the entire membership on its passage to be enacted. All those who are in favor of the passage of the bill will rise and stand in their places until counted, and the monitors will return the count.

A division being had,

One hundred and three voted and all in the affirmative so the bill was passed to be enacted.

Paper out of order from the Senate.

Report of the committee on Judiciary to which was referred the petitions proposing to the Legislature for its consideration under the provisions of Article XXXI of the Constitution of Maine the following bill:

An act to repeal Sections one to thirty-six of chapter six of the Revised Statutes relative to Primary Elections,

Ask leave to report as follows:

The petitions appear to be properly verified. They were filed in the office of the Secretary of the State purporting to contain signature as follows:

February 25th, 1927	13,455
February 26th	197
February 28th	434
March 1	239
March 2	184
March 3	67

Making a total of 14,576

A petition was filed March 11, 1927 containing 71 names, and a petition was filed March 15, 1927, containing 38 names, which should be added to the above figures in case the close of the session of the Legislature occurs at least thirty days after said respective dates.

The Constitution of Maine provides as follows:

"The governor may, and if so requested in the written petitions addressed to the Legislature, shall, by proclamation, order any measure proposed to the legislature by at least twelve thousand electors as herein provided, and not enacted by

the legislature without change, referred to the people at a special election to be held not less than four or more than six months after such proclamation."

The petitions contain as the following language:

"The Governor is hereby requested to issue his proclamation, referring the within act to the people, at a special election to be held not less than four or more than six months after such proclamation."

We find at least 12,000 signatures which complies with the Constitution.

The Committee recommends that no action be taken by the Legislature with reference to passing the accompanying bill and that no competing measure be submitted; that the initiative bill be submitted to the election of this state in accordance with the Constitution; that a certified copy of this report be transmitted to the Governor.

This report comes from the Senate read and accepted,

In the House, read and accepted in concurrence.

Report of committee out of order.

Mr. Greenleaf of Auburn from the House committee on county estimates asks leave to submit its final report.

Report read and accepted.

The SPEAKER: The Chair lays before the House the first unassigned matter being majority report of the committee on Banks and Banking reporting ought not to pass on bill an act relating to the Bar Harbor Banking and Trust Company, H. P. 693, H. D. 616, and minority report of same committee, reporting ought to pass on same bill, tabled by Mr. Blaisdell on April 12 pending acceptance of either report; and the Chair recognizes the gentleman from Franklin, Mr. Blaisdell.

Mr. BLAISDELL: Mr. Speaker, I yield the floor to the gentleman from Ellsworth, Mr. Foster.

Mr. FOSTER: Mr. Speaker, I would like to ask that this bill be retabled and specially assigned for tomorrow morning, and I will state my reason therefor. One of the gentlemen who is particularly interested in this bill and one of the proponents has been detained at home on account of death in his family. I am informed that he is

on his way and will be here late this afternoon. If it might lie on the table until tomorrow morning, I think it would be courteous to him.

A viva voce vote being taken, the matter was retabled and specially assigned for tomorrow morning.

The SPEAKER: The Chair lays before the House the second unassigned matter, final report of the committee on Public Utilities, tabled by Mr. Comins of Eddington, April 12, pending acceptance of the report in concurrence; and the Chair recognizes the gentleman from Eddington, Mr. Comins.

On motion by Mr. Comins the report was accepted in concurrence.

The SPEAKER: The Chair lays before the House the third unassigned matter, the final report of the committee on Interior Waters, tabled by Mr. Piper of Jackman, April 12, pending acceptance of the report in concurrence; and the Chair recognizes the gentleman from Jackman, Mr. Piper.

On motion by Mr. Piper the report was accepted in concurrence.

The SPEAKER: The Chair lays before the House the fourth unassigned matter, bill an act to raise an excise tax on corporations organized for making, generating, selling, distributing and supplying electricity or electric current for power, lighting, heating, manufacturing or mechanical purposes, H. P. 919, H. D. 246, on which the House substituted the bill for the report and passed it to be engrossed, tabled by Mr. Chase of Cape Elizabeth, April 12, pending reconsideration; and the Chair recognizes the gentleman from Cape Elizabeth, Mr. Chase.

Mr. CHASE: Mr. Speaker, as I tabled the bill out of courtesy to the gentleman from Auburn, (Mr. Wing) and as he is now present, I will yield to that gentleman.

Mr. WING: Mr. Speaker, permit me to acknowledge the courtesy of the gentleman from Cape Elizabeth (Mr. Chase). When I left the Chamber yesterday afternoon there were but two matters apparently on the calendar and we were considering porcupines, and I am sorry I was not here to accommodate my good friend from Ellsworth (Mr. Foster) (Laughter)

I am aware that the House and

Senate are deadlocked over this measure, and I am also aware and appreciative that we want to finish our business and go home. I also observe that the plan is to tax the ultimate consumer by the gasoline rate and the mill tax, and that property rising seventy-two million dollars is not to be taxed by way of excise; and I will meet the situation by moving that the House recede and concur with the Senate. (Applause)

Thereupon the House voted to recede and concur with the Senate in accepting the report of the committee ought not to pass.

The SPEAKER: The Chair lays before the House the fifth unassigned matter, final report of the committee on Agriculture, tabled by Mr. Crawford of Houlton, April 12, pending acceptance of the report in concurrence; and the Chair recognizes the gentleman from Houlton, Mr. Crawford.

On motion by Mr. Crawford, the report was retabled.

Mr. CHASE of Cape Elizabeth: Mr. Speaker, I ask leave to present an order out of order. I am presenting this order simply for the purpose of making a suggestion in regard to the procedure of the Legislature. I will ask that the order be not read until I have made my remarks thereon.

The SPEAKER: The gentleman may proceed.

Mr. WING of Auburn: Mr. Speaker, will the gentleman permit me to interrupt him so that we may know what we are talking about and have the order read?

Mr. CHASE: Mr. Speaker, I am willing the order should be read now.

Ordered, the Senate concurring, that joint rules of the Eighty-third Legislature be amended, effective May 1, 1927, as follows:

Amend Rule No. 1 in the list or joint standing committees by changing the name of the committee on Judiciary to the committee on State Policy.

Mr. CHASE: Mr. Speaker, in the last days of what seems to be one of the longest legislative sessions on record and having a few moments when there is no pressing business before the House, I ask leave to present a suggestion which may possibly help future Legislatures to do

better work in a shorter time. It is nothing on which my heart is set. I simply present it as a suggestion and have no desire to dictate as to matters of routine or to change past methods.

I have introduced this order which does not in itself suggest what I have in mind. In the Legislature we have had, and in past Legislatures there have been, two legal committees which in most cases have been composed entirely of lawyers; and to those committees have been referred in practice almost all bills, no matter what they related to, which contained any question of law. There are a great many committees of the Legislature which are deprived of the valuable services of lawyers because there are no lawyers to go around after the two legal committees have been made up; such as Appropriations, Banks and Banking, Interior Waters, Mercantile Affairs and Insurance, Public Utilities, Salaries and Fees, Sea and Shore Fisheries, State Lands, Taxation, etc. I know, in the committee on Public Utilities, this winter we have been greatly handicapped by not having any lawyer on the committee, and in talking with other members I have noted that other committees have felt some distress through not having legal members. The reason that they did not have legal members is that the lawyers in the Legislature are on those other two committees, and it seemed to me—and I think perhaps I voice the opinion of others—that it might be well to consider whether we do need solid legal committees. I think everybody will admit that there should be one committee composed entirely of lawyers to consider matters relating entirely to law, and that would naturally be the committee on Legal Affairs.

The committee on Judiciary has been for years the outstanding committee of the Legislature, and to it have been referred matters relating to State policy and other matters relating to law. For instance, the committees on Interior Waters or Taxation or Public Utilities or any of those committees would be perfectly capable of dealing with any matters relating to their particular province if the question involved were not an important question. For instance, the committee on Legal Affairs has had referred to it various simple matters affect-

ing the charters of public utility companies, in which the question was nine-tenths matter of fact and one-tenth matter of law. Any committee of laymen familiar with public utility matters—I am simply taking my own committee because I can speak from experience there—with the aid of two good lawyers, could have handled those matters. The committee on public utilities this winter has only been meeting one day a week. We could have handled three times the business. The Legislature has remained in session partly because these two legal committees have had heaped on them a tremendous amount of work. They have been holding sessions two or three days in the week right along. We have been waiting for them, and many of these matters that they have been considering are not of so great importance that they could not have been referred to almost any committee of the Legislature if there had been one or two lawyers upon that committee.

We all recognize the prerogative of the Speaker to nominate whomever he pleases on the committees, and we know that the rules do not require that both those committees be composed of lawyers; but that has been the precedent in past years. And it may be that I am wrong, but the thought occurs to me that we may want to consider taking some work that these committees are now doing and putting it on these other committees to do, at the same time splitting up those other committees by introducing into their membership one or more lawyers. That would expedite the work of the Legislature and all the committees would get through sooner; and everyone who comes here would have an opportunity to become informed on the more important matters which are before the Legislature.

As I say, that order does not exactly explain my purpose. But it seemed to me this: The committee on Judiciary—we all recognize its standing, and I would not think for a moment of eliminating or cutting out the committee on Judiciary or the committee on Legal Affairs—but it seemed to me that if we could change the name of the committee on Judiciary so that the name would no longer be a strictly legal one, that might open the door during the next few years for introducing gradually

into that committee representatives of different fields of endeavor and specialists in different lines in the State. It would be, as I think, as the committee on Judiciary has always been, a very select committee, and would be composed of what the Speaker of the House or the President of the Senate thought were the best men in their respective professions; for instance, in the field of agriculture, industry, public utilities, transportation, or any of those things. If this order should pass, everybody who is on the Judiciary Committee now would, after May 1st, next, after this Legislature has adjourned, as I understand it, be a member of the committee on State Policy, which is certainly as good and as honorable a name for a committee as "the committee on Judiciary." I do not seek to undermine in any way the precedent of seniority on that committee. I would not be in favor of anything that would abridge the rights of seniority which have been recognized; but of course there would be some vacancies.

This proposition of changing the name to the Committee on State Policy would gradually open the door so that over a period of years some changes might be effected in that committee and eventually it might become what the name implies, a Committee of State Policy composed of the men in the Legislature who, as a group, would be familiar with the most important matters which could come up which would involve the policy of the State.

Doubtless this suggestion comes as a surprise to many of you, and it is purely a suggestion presented in this manner so that it can be brought before the House; and if you do not wish to consider it at this time, I would be ready to support a motion to continue it until you do attempt to have it; for, as I say, I introduced the order simply to have an opportunity to make that suggestion, because I believe it will help the Legislature to do better work and to do it more quickly.

Mr. INGRAHAM of Bangor: Mr. Speaker, strange as it may seem to some members here, I am heartily in accord with the order of Mr. Chase of Cape Elizabeth. I think it would be a good thing, and it would split up the work here, which has been greatly hampered by too much work in one or two committees.

Mr. HALE of Portland: Mr. Speaker, when I first heard the order of the gentleman from Cape Elizabeth, Mr. Chase, read, I thought it might have been offered in a somewhat jocose spirit and I thought the gentleman might be insinuating that the members of the Judiciary Committee set themselves too high in this Legislature. I hope that it is not true. If important matters had been referred to the Judiciary Committee, as from time to time they have, the people should be blamed, if they are to be blamed, and not the members of the committee on Judiciary, but the members of the committee on Reference of Bills. I have been a member of the Judiciary Committee for two years. I have not tried directly or indirectly to drag off important stuff to be heard before our committee. At the beginning of this session, when the question of reference of all these power measures was being considered by the House, I did not advocate those measures being referred to the Judiciary Committee solely. I did not oppose their being referred to other committees, and I think that the Judiciary Committee, like other committees of the House in the past, and so far as I know in the present session, has had only the thought of assisting and forwarding the business of the House in as capable a manner as possible.

The adjournment of the Legislature has not been delayed—I want to say emphatically—by the present committee on Judiciary. The committee on Judiciary could have rendered its final report many days ago if there had not been referred to it, within a few days, bills relating to the Highway Commission which, in the nature of things, we have not been able to report up to now. But the adjournment of the Legislature and the business of the Legislature have not, in any way, been hampered by this committee; nor so far as I know has it been hampered by the committee on Legal Affairs. I am not at all intolerant of criticisms and the comments made by my friend, the gentleman from Cape Elizabeth. I think there is a good deal to be said for strewing members of the legal profession around among the several committees; although it does seem to me important to have at least one, and I think two,

committees composed exclusively of lawyers. We have had in the present House fewer lawyers than usual; and I hope that no member feels that I am seeking to exalt the legal profession because I do not think that the legal profession has any mortgage on prominent positions, although I do think they have a certain fitness to act in some legislative positions.

The appointment of the committees of the House must, unless we have a drastic revision of the rules, lie with the Speaker of the House; and as far as that goes I do not understand that my friend from Cape Elizabeth (Mr. Chase) wishes to make any modification of that. The specific order which he introduces changing the name of the Judiciary Committee to the Committee on State Policy I would think it decidedly unwise to adopt. I do not know why any committee of this Legislature should enjoy any such pretentious title as that. Certainly any member of the Judiciary Committee, as at present constituted, would not like to set himself up as being one of ten mandarins to dictate or prescribe state policy. I think that is as far, possibly, from the ideas and the thought of the members of that committee that I have served with as can be. While, as I say, I am not intolerant of the criticisms the gentleman offers or of any fairly meant criticism, I do hope that the order will not have passage.

Mr. WING of Auburn: Mr. Speaker, I, too, do not wish to be considered as speaking in praise of the profession to which I belong. I believe that all that lawyers have to offer is a capacity and willingness to serve. I think that the order is perhaps premature, and I hope the gentleman from Cape Elizabeth (Mr. Chase) may live and be permitted to introduce it in the opening days of the Legislature of 1929. I think that is the proper time and place to do it, and my reason for saying that is this: that this particular legislature has no right, capacity or authority to bind by rules the coming legislature. The Constitution says: "Each house may determine the rules of its proceedings, punish its members for disorderly behavior, and, with the concurrence of two-thirds, expel a member, but not a second time for the same cause."

Now it happens that in the opening days of the Legislature about the first thing that is done is for someone, who is a part of the plan of organization, to move that the rules of the preceding legislature be the rules of the present legislature. I think that is the time for the gentleman to make his motion and conduct his argument, because whatever we do here will not of necessity or of right bind those who are to come after us. I sincerely hope that the gentleman from Cape Elizabeth will come again and serve with the same distinction that he has served this time; and if at that time it seems wise to those in charge of the organization of the House—the Legislature—to change these rules, that is all right; but it is not for us to say what they shall do. I hope that this change in the name of this committee to which are now already referred matters which will disturb its deliberations and make difficult its report, and which will put perhaps a misunderstanding upon them and embarrass them,—that this order will not have passage, and that we may leave it for those who come after us to establish their own rules, their own committees, and they can then determine who shall be upon the committees. I hope the order will not have passage, although I recognize that an effort to reform procedure is a good thing; but I think it is not for us to try to reform the gentlemen who may come hereafter.

Mr. CHASE: Mr. Speaker, I am not at all sure that I shall be here two years from now to introduce this order; and if the next legislature is to profit from the experience of this Legislature, certainly the 150 who are here now should advise them rather than perhaps forty or fifty who may be here next time.

It is practically routine procedure to take the rules of the preceding legislature and it is also I think quite proper, after the legislature is elected for the men who may be the leaders in the House to agree in considering what are to be the committees and who may possibly be good material for those committees. I think it would be much better if we are going to do anything about it to do it now. I think the gentleman from Portland, Mr. Hale, knows very well that I did not intend in any way to

criticise any member of any committee, or of this House. I have not the slightest fault to find with the work that the committee on Judiciary, or any committee, has done. I am simply trying to take away some of the work from that committee which they need not do because it is not important enough for them to do, and to give it a lot of committees which will be perfectly capable of handling it with one or two lawyers thereon.

It must be very apparent to you that at the first part of this Legislature the whole program was delayed very much by a fight to see who was to have the water power measures and to what committee it was proper for that legislation to go to. I believe that if there had been a committee such as I propose, there would have been no need of referring these measures to joint committees of Public Utilities, Interior Waters and Judiciary. The bills would have gone to such a committee without question. There have been other joint references, and when you get a joint reference it is because the matter involved is so great that it breaks outside of one particular field; and I just want to ask you to think now how much the legislation of this session would have been simplified had there been a committee on State Policy to which these water power measures could have been referred, and to consider how in the future measures of similar import can be handled. I think there should be one committee of this nature to which such measures could be referred.

The SPEAKER: The question before the House is upon the order presented by the gentleman from Cape Elizabeth, Mr. Chase. Did the gentleman make any motion?

Mr. CHASE: Mr. Speaker, I move the passage of the order.

Mr. McCART of Eastport: Mr. Speaker, I rise to a point or order.

The SPEAKER: The gentleman may state his point.

Mr. McCART: Mr. Speaker, House Rule 59 says: "No rule or order of the House shall be altered or repealed, nor shall any new standing rule or order be adopted, unless one day's previous notice thereof be given in each case; and such notice shall be entered on the Journal." I would like to inquire if the gentleman's motion is in order today.

The SPEAKER: The Chair will state that this does not appear as an amendment to the rules or order of the House. The gentleman is quoting from rule 59 of the House rules, and the order which is presented refers to the Joint Rules and is separate from the House rules. As many as are in favor of the motion of the gentleman from Cape Elizabeth (Mr. Chase) that this order receive passage will say aye; those opposed no.

A viva voce vote being taken, the order failed of passage.

On motion by Mr. Hale of Portland,
Recessed until 4:30 this afternoon.

After Recess—4:30

The Speaker in the Chair.

The following papers from the Senate were taken up out of order under suspension of the rules.

Papers from the Senate disposed of in concurrence.

From the Senate: Majority report of the Committees on Public Utilities, Interior Waters and Judiciary reporting "Ought not to pass" on bill an act to incorporate Fish River Power and Storage Company. (S. P. No. 293) (S. D. No. 121).

Report was signed by the following members:

Messrs. GRANVILLE of York
DUNBAR of Hancock
LORD of York
OAKES of Cumberland
MAHER of Kennebec
—of the Senate.
DUDLEY of Calais
TUCKER of Sanford
WING of Kingfield
POWERS of Caribou
BRIGGS of Monticello
THURSTON of Appleton
MILLIKEN of Old Orchard
HUGHES of Mapleton
HALE of Portland
WING of Auburn
COMINS of Eddington
DOUGLAS of Chelsea
ALDRICH of Topsham
RICHARDSON of Monmouth

—of the House.

Minority report of same Committees on same bill reporting that same be referred to the next Legislature.

Report was signed by the following members:

Messrs. DOUGLAS of Hancock
CRAFTS of Piscataquis
DRAKE of Sagadahoc
—of the Senate.
PIPER of Jackman
GREENLEAF of Auburn
BISHOP of Boothbay
Harbor
CHASE of Cape Elizabeth
PATTERSON of Castine
PAGE of Skowhegan
BARTLETT of Bangor
—of the House.

Comes from the Senate the majority report accepted.

In the House, on motion by Mr. Seavey of Sherman, the majority report, ought not to pass, was accepted in concurrence.

From the Senate: Majority report of the committee on Legal Affairs on bill an act relating to the police commission of Lewiston requiring the commissioners to be appointed by the mayor, and providing a referendum to the people of Lewiston, S. P. 299, S. D. 99, reporting same in a new draft, S. P. 545, S. D. 299, under title of an act relating to the police commission of Lewiston requiring the commissioners to be appointed by the mayor and providing a referendum to the electors of Lewiston, and that it ought to pass.

Report was signed by the following members:

Messrs. HOLMES of Androscoggin
—of the Senate.
BLAISDELL of Franklin
GOODWIN of Sanford
McCART of Eastport
SARGENT of Brewer
LITTLEFIELD of Kenne-
bunk

—of the House.

Minority report of same committee, reporting ought not to pass on the same bill.

Report was signed by the following members:

Messrs. MORRISON of Franklin
DWINAL of Knox
—of the Senate.
FULLER of Southwest
Harbor
Miss LAUGHLIN of Portland
—of the House.

Comes from the Senate the minority report accepted.

In the House:

Mr. ROY of Lewiston: Mr. Speaker, I move that the majority report ought to pass be accepted, and I would like to say a few words on the subject.

The SPEAKER: The gentleman may proceed.

Mr. ROY: Mr. Speaker, there's a city, not far distant, with a thorn in its side stuck there by job seeking politicians, skilled in the art of making trifling evils look like mountains of wrong. Several attempts have been made to remove this painful, irritating object but, I am sorry to say, it is still there.

To attain their aim, these men did not hesitate to besmirch the fair name of their city. Now a shadow of doubt hangs over the reputation of its citizens and, in the mind of many, she is the "Gommorah" of modern times.

Lewiston—that is the name of the city—has a large number of Democrats and a few vanishing Republicans and, in the legislature, as you all know, there is a large number of Republicans and a few vanishing Democrats. A favorable situation to the success of political schemers.

Among the vanishing republicans of Lewiston, are politicians who, not seeing any chance of sharing the "plums" that naturally fall to the lot of the dominating party, conceived a scheme by which they would, if successful, wrench the city government from their rivals.

In 1917 these schemers succeeded, by an act of the legislature, in putting our police department in the hands of the Governor. This act was the forerunner of other legislation which would, in a cowardly manner, take all rights of the majority party away, and open the door to all city jobs. This, undoubtedly, was the real object of their scheme.

In 1919 they attempted to do the same thing with our fire and street departments that they did with our police force; but an amendment to their bill left this partly in the hands of the mayor. Four jobs were created by this act. One of \$1200 and three of \$1000 each.

In 1925 a bill was introduced and, had it passed, would have put our entire city government under guardianship. Three commissioners named by the Governor, were to have full control of the city administra-

tion, with a salary of \$15,000. As in the other cases, the State was to fix the price and we were to foot the bill. So unreasonable was this measure that the chairman of the committee before which it was heard, called it the most drastic piece of legislation ever brought to the attention of a committee; that it had no precedent in the annals of the State of Maine. Since this proposed commission was to have full control of the city administration, it is evident that these politicians would have reached their goal—the city jobs.

It may be interesting to note some of the changes that occurred since the present police force has been in power. For instance, there were rumsellers in Lewiston in the old days. None are to be found there now. In this era of "monkey business" rumsellers have evolved into bootleggers.

Then we had good old rum and whiskey. Not a drop is to be found there today. This has evolved into something that words to describe are not to be found in any dictionary.

With plenty of rum and whiskey we naturally had drunkards. Not a drunkard is there now. The bootleggers' stuff has sent them all to the graveyard.

This may have something to do with the disappearance of Republicans from Lewiston and the vanishing of Democrats from the legislature. I cannot affirm this so I shall leave the question open to your imagination.

The measure before us calls for no change whatsoever in the police force nor in the commission. The only difference with this and the other act is that the mayor, instead of the Governor, shall see to the commission when an appointment becomes necessary. This slight change would relieve that feeling of subordination that touches the dignity of our citizens, and dispel the humiliating sensation so disagreeable to proud, peaceful and liberty-loving people.

Some of you may ask: "If your proposition is good, why do priests, and ministers, and college professors, in fact your most respectable citizens, oppose it?"

To this I will say that these gentlemen seldom, or never, mingle with people who meddle in politics. They

even rarely go to the polls. They are among the ones who know the least about what is going on in the city administration. They undoubtedly get their information from what politicians say in election campaigns, and you all know how unreliable the statements of job seekers are.

I have all the respect a man should have for clergymen when they are in the church or in the pulpit. I never question their word in matters of faith, but, when they leave the sacred domain to enter the realm of politics or other public affairs, they are no more than you or I; their word should have no more weight than yours or mine.

"Vows can not change nature." Priests and ministers are men like you and me, subject to the same weakness, the same tendency, the same inclination.

At the hearing on this police commission bill there appeared as opponents a lawyer who probably was paid to oppose the measure, a priest, a minister, and a college professor. The priest did not appear in person; he sent a remonstrance. The minister and college professor, apparently, had more courage; they were there.

As I have already stated, these reverend gentlemen seldom take part in the activities of their municipality. Their reason for so doing is, no doubt, that there would be no use for them to meddle with these matters, that they could never accomplish anything.

"I can't" is an expression created by a coward. "Where there's a will there's a way." If these men refuse to take active part in their home town affairs, then let them keep away from the State House; they are not desired. Furthermore, some of them are enemies of home rule; they would overthrow the government of the people if they could.

A bunch of remonstrances was exhibited at the hearing. To show you how unreliable some of them must be, I shall take, for example, the priest's letter. First, I will say that this reverend gentleman has been in Lewiston less than a year. His name does not appear on the voting list and I doubt if he is a voter. He certainly knows nothing about what our city government has been in the past. I can imagine how the politi-

cian, who solicited that letter, made things appear so terrible that the good old soul listened, with eyes bulging with excitement and, in his mind, could see the devil, trident in hand, his wiry tail tipped with a spearhead, clicking and clacking and flipping and flapping and switching and swirling and twisting and twirling, in a policeman's uniform, beating the streets of Lewiston. (Laughter). It is probable while in such a state of mind that the good pastor wrote the letter. At the hearing, the leader of the opponents, letter in hand, high in the air, with a gesture of triumph, said: "Here's a remonstrance from a priest!" We could plainly see from the expression on his face that he felt sure he held a bomb that would shatter the proponents' cause to smithereens. It is evident that honest, unsuspecting citizens are often misled, by politicians, into things they ought not to do.

The principle of the method by which our police department is controlled is entirely wrong. It casts a shadow of doubt on the reputation of our citizens. Besides, we have to pay in the neighborhood of eighty thousand dollars for the upkeep of this department. This amount has been fixed by Tom, Dick and Harry from the four corners of Maine. We have not a word to say on this matter but must pay the bill. Is that fair?

To strengthen their arguments our opponents say that our police force is better, and should remain under the control of the Governor. If that is so then put all police forces of every municipality under that authority. Pending the day that such a measure is enacted, give Lewiston the same freedom that other cities enjoy.

We also hear that our people do not want the considered change. Now, the entire Lewiston delegation is solid for it. Who sent us here, is it the minority?

To be fair to all we attached a referendum to the bill. To this our opponents say: "No! We don't want a referendum! It is useless to refer this to the people. They do not understand!"

What an insult! Does the Lewiston delegation appear different from other people? The citizens we represent are no different from what we

are. Do they think we do not understand when they insinuate that we are not enlightened enough to know how to vote? Let me tell them that we can vote as intelligently as they; furthermore, we perform our duty of loyal American citizens by going to the polls on election day; this is one thing our opponents seldom do.

Among other things they say is that our bill would put our police force back into politics. Has it ever been out of politics? Is not a governor as much a politician as a mayor? It's a slur on the character and dignity of our city magistrate to insinuate that he is more apt to corruption than state authorities. Do you believe that our state police would be better under a commission appointed by the President of the United States than under the authority of our Governor?

What would you say if a small group of politicians should pass a bill, in Washington, providing for a commission of two Democrats and one Republican, appointed by the President, to run our State Highway Department? Worse still! What would you say if this act had been passed on the grounds that our highway commission was corrupt and that the citizens of Maine were different from other people? Is there a man with two cents' worth of honor who would not protest with all the power at his command against such an act of injustice? Exactly the same shameful act has been cowardly forced on the citizens of Lewiston. Is this not a disgrace?

There are no reasons whatsoever for keeping Lewiston in a different class from other cities. No one can say in all sincerity that the principle is not wrong. It seems to me that this legislature can not adjourn and feel it has done its duty if it supports a wrong principle and its action certainly can not be considered just if it treats one of its communities differently from the rest.

I do not think that the Lewiston delegation is different from the rest of the members of this legislature, and the people we represent are identical to their representatives. As I have said, a shadow of doubt hangs over the reputation of my people; and this was brought on by men versed in the art of making slight irregularities look like mountains of

wrong. Conditions in Lewiston have never been one tenth of one per cent as bad as political job seekers have represented them to be.

"Home Rule!" Words as dear to the heart of free people as "Home Sweet Home." Several times have we heard this expression ring through the House, and every time home rule has been respected. Are we going to deny Lewiston the same fair treatment that we gave everyone else?

I feel confident that all who consider this question from a point of justice will support my motion to accept the majority report of "ought to pass." (Applause).

The SPEAKER: The gentleman from Lewiston, Mr. Roy, moves the acceptance of the majority report ought to pass.

Mr. FULLER of Southwest Harbor: Mr. Speaker, and members of the House, I was a member of the committee that had the hearing in regard to this police commission bill, and I will say that perhaps it only related to Lewiston geographically, but the advertisement was all over the State—well advertised—and at the time of the hearing there were very few present. The proponents were members of the Legislature here; and the opponents of the bill were few in number. But it seems to me if this commission affected the city of Lewiston as Mr. Roy says, they would have filled that room full. There would not have been a chance to have a hearing in the Legal Affairs room. But no! There seemed no especial feeling against the bill. On the other hand, there were some few who came down and gave us an idea of how well the present method of appointing the police was working and that the working was giving them excellent satisfaction in that city. With those things before us, it seemed to me that it did not appear necessary to make a change. Also, he had letters from business men in large numbers saying that the police commission, as carried out in the city of Lewiston, was perfectly satisfactory.

Now of course there are not a great many cities in the United States that have a police commission appointed by the magistrate of the State. We have one instance that I think all of you here will bring to mind. When the trouble came up

in the city of Boston the Governor, who is now our President, acted with the police commissioner who was his appointee and carried that through in a successful manner. I do not think it is a political affair. Politics may have something to do with it; but what is wanted is a good Governor to appoint the police commissioner of a city. Those who came before us, both proponents and opponents, admitted that Lewiston had an excellent police force. For those reasons I signed the minority report; and I trust that the majority report will not be accepted.

Mr. NADEAU of Lewiston: Mr. Speaker and members of the House, the only thing we want in Lewiston is home rule. For instance, we have a fire department, and the commissioner of the fire department is appointed by the mayor, and I think we have one of the best fire departments that I know of, and it is, as I said, appointed by the mayor. It is the same with our highway commissioners; they are appointed by the mayor and they are the best men in the city.

Now in regard to business men, I am a business man in Lewiston. I think we have a perfect police force—just as good as they have anywhere, and it is carried on on politics. I do not think that a change of method in appointing the commissioner by the mayor would make a bit of difference in the police department. It would keep the same men and the same commissioners would have a right to stay as they are now, two Republicans and one Democrat.

Mr. HAMEL of Lewiston: Mr. Speaker and members of the House: I have just one word to say in reference to this bill, and that is, that I am in favor of it. I believe that the folks at home would all vote in favor of this bill if they were given the opportunity. About the bill that is all I have to say. I rather regret to add at this time that we have referred to the priest and minister a while ago, both of whom I know very well and both are my friends. It seems to me their names might have been called rather than their vocation—I regret that instance. However, in regard to the police bill, I think you can safely vote in favor of it if you so desire, and the people of

Lewiston, I am quite sure, are in favor of this bill.

Mr. ROY: Mr. Speaker, it is a question of honor to my people, the having the Governor name that commission. We want the mayor to do it. Then when we need any change in the number of officers or an increase in salary or a decrease in salary, we have to come to this Legislature. Is not that a shame? In reference to what has been said about my reference to priests and ministers, have I said a word against the character of these men? I have said that they are no more than you or I when they come out of the church. Is that wrong? They say the police department will go back as it was. Now you all know that in 1917, during the War, bars were open in Lewiston and Bangor and even in Augusta. You remember how the liquor condition was. It was not the police department that cleaned those out. We have bootleggers in Lewiston today, just as you have in all cities, even within the capital city of Augusta; even within a few minutes' walk of this State House you can get all the liquor you want. It is not only in one direction, either. (Laughter).

There is another idea that is underneath, to hold it as it is, and we certainly know what it is, but the gentlemen do not dare say what it is. Lewiston is a city which had the lowest criminal record of any city of its size in the country. Lewiston is far better than the average. A manufacturing city like Lewiston is more liable to crime than is a residential city like Augusta. You take cities of that description and you will find that Lewiston is one of the best there is. Who sent the most soldiers to the war among cities of its size? Lewiston. Why? Because they are raising children and young men. Where did we find the soldiers to go across? Not in the residence parts of the city. There were whole streets that did not send one man across. But among the working people there was hardly a house that did not send young men across, and they did not wait for the draft! The men who evaded the draft were not the working people; they were the men with money. The working people are those whom they want to keep down; they are my people.

The present arrangement makes

Lewiston feel that it is lower than other people and it is wrong to do that; I don't care what you say. The principle on which we are working is entirely wrong and to refuse to put that police commission and police force in the hands of the mayor is an outrage because the mayor can name as good men as the Governor can and, as you know, in a city overwhelmingly Democratic, they put on that commission two Republicans and one Democrat. Isn't that outrageous—using the power of the State in that way just because they had the power! It is a shame. If this were to come before the people of America, they would say, "Shame on this Legislature." It is certainly a sin; it is un-American. I do not think I need to say any more. If the Legislature wants to keep these people down, as it has done since 1919, you can do it but it is a shame.

Now let me read an editorial from the Lewiston Sun. I am not sure, but I understand that the Editor of the Lewiston Sun was formerly a minister. He is not one of those who would go to the State House and talk about what he did not know: "Lewiston going over to Augusta to parade her little dirty inefficiency as a respectable, self-governing community! Was it in 1917 that respectable Lewiston people showed so cruel disloyalty to Lewiston that they went to Augusta and got the non-compass uniform put onto Lewiston?" In this editorial he said that he had always worked against the principle of having the Governor run our departments. Is there really an honest man who would support a wrong principle? And it is entirely wrong, gentlemen. You can never make an honest man believe that it is right. (Applause).

Miss LAUGHLIN of Portland: Mr. Speaker, I hesitate to say anything in opposition to what my friends from Lewiston have said, and there is only one thing I am going to say and that is that at the hearing before the committee the mayor of Lewiston was present, and on being asked he said that he was against this bill because he did not want the police department to come again under politics. That was the statement made by Mayor Wiseman of Lewiston. And the former mayor of Lewiston, Mr. Brann, being present, said

he did not want to say anything for this bill. Now certainly to me and my colleagues on the committee who signed the report against the bill, that was a very conclusive statement.

Mr. Roy was granted permission to address the House for the third time.

Mr. ROY: Mr. Speaker, it is true that the mayor of Lewiston did attend that hearing. He came for another matter; but while there the Senator from Androscoggin asked him how he should vote on this business. He felt slighted in a way because he probably was not consulted in the drafting of the bill as he should have been, and he said he knew nothing of the bill, but he said he was against putting the police force back into politics. He meant as it was in 1917. Now in 1917 the way of electing police officers was for a term of three years. They were nominated by the mayor and confirmed by the board of aldermen. Now these men were there for three years, and as you all know, they probably failed in their duties once in a while in order to hold their jobs. Today the commission itself cannot remove them if they do their duty, but if they fail in their duty, the commission can remove them. Under the bill it would be just the same as now. The only difference would be taking it out of the hands of the Governor and to have it there seems to us very humiliating. We do not deny that the police are better than they were. We do not want to change that. The mayor did not understand it. Look here! There is a referendum. Is there anything that is fairer than that? Are there not many of the largest merchants and big tax payers with influence enough to turn the population their way if it was wrong, if their way was better? Why do you not leave it to our people as you do to other people? We are not different from other people. Ours are among the best people. And Lewiston is one of the fastest growing cities in the State. We have talked about our schools and all that. As fast and growing a city as we are, it is costing us more for the schools, and it is harder to keep it up, but you must remember that Lewiston has the lowest tax rate of any city in the State. Out of twenty cities, Lewiston is one of the

lowest in its tax rate—only thirty-two mills.

Now there is no argument against this if we leave everything as it is. The appointment of those commissioners is for six years. We appoint one in every two years. One would be appointed in 1929, one in 1931, one in 1933. There would be the Legislature having a chance to change that. If it is wrong, I would be the first one to come here and fight to the last ditch if the citizens of Lewiston did not do as they should. But these things were taken out of their hands by cheap politicians who interest the ministers, priests and college professors, telling them how bad the city was. These things would have worked out if we had let the people attend to their own affairs. We can attend to our own affairs as well as the Legislature and the Governor can, and better. What do the people of Aroostook know about our affairs? You know how easy it is to go to a merchant and get letters and remonstrances and names. I could go out myself and in a few days get thousands of them, but I would rather rely on the judgment of the people. If you say to leave this as it is right, then I say there is no honor.

Mr. STURGIS of Auburn: Mr. Speaker, I was much interested in what the gentleman has just said, and the whole thing is he wants home rule. He did own just now that the condition of the police force is better than it was before the commission was appointed. I can verify his words because I used to live in Lewiston myself, and I live now where I can see into it. I will read just a word here from a letter I have: "For the last full year of the old administration (1916) there was filed with the Clerk of Municipal Court three liquor libels, and for the first six months of 1917 two libels were filed.

Now during the year 1926 there were filed by this department one hundred and eighty-one liquor libels, and for the past six months, from October 1926, to April 1927, there have been filed one hundred and six liquor libels.

The drunken driver is a menace to autoists, and this Department has arrested thirty-six during the past year."

I have never heard any criticism in regard to the present commission. It may be composed of two Republicans and one Democrat, but I am informed that the majority of the police force are Democratic, and they have a good police force at the present time. I am fearful that that would not apply if the police commissioner were not appointed as he now is. In regard to the priests and ministers having convictions and living up to those convictions and meddling in politics, the Rev. Mr. Finnie who was here at the hearing—I do not think he is very fearful. He believes in standing by his own convictions. It was stated that the mayor was wobbling. No sir, he was still on the grounds with the feeling that it was better to keep their present police force. He did not want to take them into politics. By the way, Mayor Wiseman is a fine gentleman; and he was fearful of his predecessors. Men appointed to the police commission might not be of the same caliber that they have at the present time, and he made the statement that he is satisfied with the present commission.

Mr. CYR of Waterville: Mr. Speaker, I move the previous question.

The SPEAKER: The gentleman from Waterville, Mr. Cyr, moves the previous question. As many as are in favor of the Chair entertaining the previous question will rise and stand until counted and the monitors will return the count.

A sufficient number arose.

The SPEAKER: As many as are in favor that the main question shall now be put will say aye; those opposed no.

A viva voce vote being taken, the main question was ordered.

The SPEAKER: The question before the House is on the motion of the gentleman from Lewiston, Mr. Roy, that the majority report ought to pass be accepted. As many as are in favor of this motion—

Mr. CYR: Mr. Speaker, I ask for a division of the House.

The SPEAKER: A division is requested. As many as are in favor of this motion will rise and stand until counted and the monitors will return the count.

A division of the House being had,

Fifty-two having voted in the affirmative and 32 in the negative, the

motion of the gentleman from Lewiston, Mr. Roy, that the majority report ought to pass be accepted prevailed.

Under suspension of the rules, the bill received its three readings and was passed to be engrossed.

Mr. HALE of Portland: Mr. Speaker, I ask leave to address the House on a question of personal privilege.

The SPEAKER: The gentleman from Portland, Mr. Hale, asks leave to address the House on a question of personal privilege.

Mr. ROUNDS of Portland: Mr. Speaker, I hate, at this time of the session, to oppose my fellow member from Portland, Mr. Hale, but I object to his having a personal privilege.

The SPEAKER: The gentleman from Portland, Mr. Hale, has requested the personal privilege of addressing the House.

Mr. KITCHEN: of Presque Isle: Mr. Speaker, it seems to me a bit unfair to prevent the gentleman from Portland, Mr. Hale, from speaking for a moment.

The SPEAKER: As many as are in favor of allowing the gentleman from Portland, Mr. Hale, to speak upon a matter of personal privilege will say aye; those opposed no.

Mr. ROUNDS: Mr. Speaker, I withdraw my objections at the present time.

A viva voce vote being taken, the gentleman from Portland, Mr. Hale, was allowed to proceed.

Mr. HALE: Mr. Speaker, when a person has expressed himself upon what might be a controversial topic and when his judgment has been vindicated by after events, he is peculiarly prone to say "I told you so." And, generally speaking, he is wise not to say it; but in this particular instance, Mr. Speaker, an opinion which I expressed at the first of this session has been so completely vindicated at this session that I cannot and I will not deny myself the privilege of saying to the House what I feel.

I said to the House in a joint convention of the Republican party at the beginning of this session that you, Mr. Speaker, were, by character and temperament, by personality, by ability and by experience, peculiarly fitted to preside over this body and

to fulfil the duties assigned under the Constitution and under the rules of this House to the Speaker of this House. I believe, Mr. Speaker, that the members of the House could have made no more suitable choice. I know the members of the House share that opinion. I have heard it expressed in a hundred ways and on a hundred occasions, and it gives me great pleasure, speaking for the members of the House, to voice this sentiment. Yours is not an easy task. You have to enforce the rules of the House. You have to restrain my impetuous and eloquent friend from Lewiston when, in defiance of every rule of the House, he insists upon smoking. (Laughter). You have to strain a listening ear for every member's slightest word. You have to catch the almost inaudible voice which springs from the frail physique of my friend from Jackman. (Laughter and applause). And, though you sit above us, Sir, wielding the wicked gavel, yours is no Olympian detachment. You are human, even as we are human. Only the other day, Sir, I saw your eyes dim with tears when you learned that for two long years my friend from Howland had been denied the innocent pleasures of attendance upon the County Fair. (Laughter and applause).

And so, for these qualities of efficiency, of courtesy in debate, of human kindness and friendliness, the members of this House express their gratitude and their appreciation to you, Mr. Speaker. And as a slight token of this appreciation they have asked me to give you this (presenting the Speaker with a gold watch) and in behalf of the House I move its acceptance by the Chair.

(Prolonged applause, the members rising).

SPEAKER MARTIN: Members of the Eighty-third Legislature: I am deeply moved, as any man would be, by this beautiful gift, and also by the very, very generous and eloquent words of my friend from Portland, Bob Hale. It is needless to say that I will always cherish this gift. And I will doubly cherish it because I know that it comes from probably the best House that has ever assembled in Maine. That is not alone my opinion, but it is the opinion of all who have followed legislative houses. It is a House consisting of

strong and able men and women. As I have sat here day by day, there is one member who has been an inspiration to me, and it may not be amiss for me to speak of him because I speak, in a way, as a tribute to him. I believe that he has been an inspiration to you. Some ten or twelve years ago, I am advised, this member suddenly, without warning, lost the sight of his eyes, and since that moment he has never seen the beauty of the morning sun or the grandeur of the evening sunset or the glories in the colors of the flag or the sweetness in the smile of the splendid woman who has been so constantly with him. But somehow, my friends, I have felt, and I think that you feel that he has seen and sensed those matters, the glory and the grandeur, even better and more than we who see, because no matter whether it has been stormy outside or whether the sun has been shining, he has always had a pleasant smile for every one of us, and he has always had a cheery "Hello." I know that any troubles I may have had or any cares that you may have had have seemed petty, for he has shown that a brave soul can conquer trouble. I know he has been an inspiration to me, and I think he has been to you; and I believe I voice your sentiments when I say we are very glad that there has been as a member of this House the gentleman from Portland, Bill Bissett. (Applause, the members rising).

Mr. BISSETT of Portland: Mr. Speaker, may I speak under a personal privilege.

The SPEAKER: The gentleman may proceed.

Mr. BISSETT: Members of the Eighty-third Legislature: I take this opportunity to thank you, one and all, for the kindness you have shown me since I have been here. There has never been a time when I have been in these corridors or in this House anywhere I wanted to go, when my good and faithful wife was not with me, that you were always glad to help me. I tell you, gentlemen, it has been an experience I shall never forget and shall never regret. There are times when we do not always agree, but there is one thing that we all agree on. I believe I have met the most loyal members of this House, both the lady

members and the gentlemen members, that I have ever met, and wherever I may be, in whatever part of the State you may see me, I want you all to say "Hello Bill." (Applause).

SPEAKER MARTIN continuing: The position of being Speaker has many pleasant associations and connections, but there is one very serious drawback. It was mentioned, I recall, two years ago, in a way, and I mention it again, because, seriously you do not know how it has bothered me; and that is the so-called fancy costume that the Speaker has to wear. Frankly, I have probably had something on like this at least two or three times in my life before I got up here, so that I felt very strange when I was first here in it, but I admit that I received considerable comfort in seeing our good friend from Dover-Foxcroft, Dr. Merrill, having a similar costume. (Laughter and applause). When I saw how well he looked, I began to feel that possibly I might be doing fairly well myself. (Laughter). My colleague, Mr. Kinsman, assured me that I did not look so very far out of place; and my wife, of course, told me, "You look all right. Some of the fellows who know you down street would probably know you up here." But I was never very, very sure of it. But after a while you get accustomed to the clothes you wear; and you remember in the morning, for some reason which I do not understand—I do not think the Speaker needs protection—but the Messenger always takes the Speaker down to the desk as an escort. One day as I was beginning to feel that I was doing, or, rather, looking pretty well, I looked across and there was a young lady over by Bill Deering—and I might mention that very frequently you will find young ladies over there—(Laughter and applause)—and looking at me she said to a neighbor, "Who is that fellow coming down the aisle with the long coat? He is a very ordinary looking minister." (Laughter) Then she looked at our messenger, Ralph Pat Hayes, and said "But isn't the Speaker splendid looking?" (Laughter and Applause)

There is a member of the official organization who is not a member of the House, to whom I am indebted. I think I can say truthfully

that you are indebted to him. It may not be wrong to say a few words concerning him. When it comes to singing the Mother Song or the Irish Ballad, there is only one voice in the world that can do it, and that is the voice of John McCormack. And when it comes to performing certain duties in this House, there is only one voice, I believe, in the world absolutely suited to those duties, and the gentleman whose name I will mention later has that voice. And, further than that, he has ability, he has industry, and he has all the elements that make up efficiency, and for those qualities we admire him. But he also has the greater qualities that make up and constitute being a regular and a good fellow; and it is a pleasure to me to pay this, which I mean as a tribute, to the gentleman who has been my support and guide and my friend and your friend, the Clerk of this House, Clyde R. Chapman. (Applause, the members rising and cheering) I do not know what "Chap" will say to me afterwards, but just at the moment I have an advantage over him.

I do not think it would be out of place, either, to say something about the women of this House, and I do want to say it because I feel very sincerely concerning their splendid record. To you, Mrs. Folsom, Mrs. Gay, Mrs. Chaney, and Miss Laughlin, I want to say this, and I believe that the men of the House absolutely agree with me in this, that from the beginning of time woman has been, of course, indispensable to man, whether in the home as the mother or the wife, or whether on the battlefield and in the hospital as the angel of mercy. And because, in this very House here, of the splendid records of the now Senator Pinkham and the now Senator Allen, and because of the splendid records of you four women, you have made women absolutely indispensable to every future Legislature of Maine. (Applause)

My friends, I do not need a gift to always remember you by. You are all thinking of going home; and we who live in Augusta are thinking of going somewhere else for a little change. I know that my desire is to go down to Ocean Point, which is down around Boothbay Harbor, or nearby there, a place where George Waring also goes; and I am looking forward, as in summers past,

to going Saturday noon and being there Saturday night and coming back Sunday night. I can think now of sitting on the rocks down there with my wife and my two boys, bundled up in heavy clothes, for it is cold down there even in summer. We will be sitting out there in the evening and listening to the waves coming in, and breathing in that salt, misty, refreshing air which seems so rejuvenating. I will think again, as I look out on those waves coming in—they will be coming in in even rows like the seats of this House. By closing my eyes I could name the seat that every member of this House is in. I will think again of this House, and I can imagine one of my boys saying to me, "Daddy, what is that white cap over there doing? It seems to be angry?" I will say, "My boy, he is not angry; he is never so happy as when he seems angry. My boy, he has a heart of gold. That is Edgar Rounds of Portland." (Applause) My boy will say, "That wave seems to be jumping up and down in the middle." I will say, "My boy, he is not jumping up and down; that is his business. He is the best floor leader any House ever had, and beyond that is in every way a fine and splendid gentleman and fellow, and that is Bob Hale of Portland." (Applause)

Then my wife will say to me, "It is getting pretty late. I guess we had better go home." And I will say, "Wait a moment, somebody will move to adjourn." And my boy will say, "What is that big whitecap over there?" And I will say, "That is the gentleman who has not lost a motion of adjournment in three sessions. That is the gentleman from Jackman, Ellsworth Piper." (Laughter and Applause)

Seriously, my friends, I will always remember every man and woman in this House, I took this office without a feeling of resentment against any man or woman in this House, and I am glad to say that I will leave it in the same way, because every member has been kind and considerate to me. There will be in the future many better Speakers than your present Speaker. There have been in the past many better Speakers than your present Speaker; but I can assure you that there has never been or will be a Speaker who has liked, yes loved, the members of his House as much as your present Speaker. I am forever

indebted to you. I thank you. (Applause, the members rising)

Mr. MERRILL of Dover-Foxcroft: Mr. Speaker, may I ask of the House the same indulgence as a special privilege that was granted the gentleman from Portland, Mr. Hale?

The privilege to speak was granted.

Mr. MERRILL: Mrs. Martin, mine is the enviable privilege and honor of expressing to you the esteem and admiration of the members of the House of Representatives of the Eighty-third Legislature, not because you are the loyal consort of our beloved presiding officer, though that were enough to elicit it; but because your radiant personality has made its own distinctive impression. By your happy, gracious friendliness, you have made a place in our hearts that so long as memory lasts shall be yours alone. May the beauty and fragrance of these flowers be symbolic of the more enduring beauty and fragrance of this occasion. (Applause, the members rising.)

From the Senate: Bill an act to establish and maintain free employment offices (H. P. 371) (H. D. 91) which was passed to be engrossed in the House.

Comes from the Senate indefinitely postponed in non-concurrence.

In the House on motion by Mr. Belleau of Lewiston that body voted to recede and concur with the Senate.

From the Senate: Bill an act to create a Board of Boiler Inspection within the Department of Labor and Industry (S. P. 410) (S. D. 200) on which the House voted to adhere to its former action whereby Report "A" of the Committee "Ought not to pass" was accepted.

Comes from the Senate that body again insisting on its former action whereby Report "B" reporting a new draft was accepted, and the new draft passed to be engrossed, and asking for a Committee of Conference, with the following Conferees appointed on its part:

Messrs. SLOCUM of Cumberland
SMITH of Somerset
MORRISON of Franklin

In the House, on motion by Mr. Cyr of Waterville, a viva voce vote being taken, the House voted to adhere to its former action.

From the Senate: Report of the

Committee on Mercantile Affairs and Insurance on Joint Order in regard to Workmen's Compensation Insurance reporting same in a new draft as follows:

ORDERED, The House concurring, that a Committee composed of the Insurance Commissioner, Wilbur D. Spencer, two Senators appointed by the President of the Senate, three members of the House of Representatives appointed by the Speaker of the House, representing employees and employers subject to the Workmen's Compensation Act and the insurance carriers doing business in the State of Maine, is hereby authorized and directed to make full investigation of all evidence and phases of the operation, during the last eleven years, of the Workmen's Compensation Law of this State, and all elements and phases of the cost of Workmen's Compensation Insurance in this State; and make full report in writing to the Governor on or before October 1, 1928.

Such Committee is hereby given full power to summon witnesses and require the production of papers and documents and records, such witnesses to receive the same attendance fees as obtained in the Supreme Judicial Court.

Such Committee is to serve without pay other than actual expenses and is authorized to employ at the expense of the State all necessary expert or other assistance.

Said Committee before it makes any engagements or incurs any expense shall formulate its general plan, obtain estimates of the expense of the investigation proposed, submit its said plan with said estimates to the Governor and Council, and if that body approves said Committee shall be authorized to make its investigation along the line it has proposed and to the extent so far as expense is concerned as has been approved by the Governor and Council.

Comes from the Senate the report read and accepted and the new draft read and passed.

In the House, on motion by Mr. Piper of Jackman, the report was read and accepted and the order passed in concurrence.

Majority Report of the Committee to survey and sale of Wood (H. P. 1162) (H. D. 418) which was passed to be enacted in the House April 1.

Comes from the Senate indefinitely postponed in non-concurrence.

In the House, on motion by Mr. Page of Skowhegan it was voted to recede and concur with the Senate.

On motion by Mr. Littlefield of Kennebunk, the rules were suspended and that gentleman was presented to present an act to provide for the retirement of highway and bridge bonds.

On motion by Mr. Littlefield the bill was tabled and specially assigned for tomorrow morning.

On motion by Mr. Hale of Portland, 500 copies were ordered printed.

Reports of Committees

Mr. BARTLETT from the Committee on Judiciary reported "Ought not to pass" on bill an act to amend chapter 25 of the Revised Statutes and to establish a new State Highway Commission (H. P. 1285)

Report read and accepted and sent up for concurrence.

Mr. MARDEN from the Committee on Ways and Bridges on Resolve in favor of Old Town-Milford Bridge, city of Old Town and town of Milford, Penobscot County (H. P. 492) reported same in a new draft (H. P. 1330) under same title and that it "Ought to pass"

(On motion by Mr. Lait of Old Town the rules were suspended, the resolve received its two several readings and was passed to be engrossed.)

Mr. PATTERSON from the Committee on Judiciary reported "Ought to pass" on bill an act relating to trial terms of the Supreme Judicial Court, in the county of Hancock (H. P. 860) (H. D. 220)

(The rules were suspended, the bill received its three several readings and was passed to be engrossed.)

Mr. DUDLEY from same Committee reported same on bill an act relating to trial terms of the Supreme Judicial Court (H. P. 1068) (H. D. 362)

(The rules were suspended, the bill received its three several readings and was passed to be engrossed.)

Majority Report of the Committee on Judiciary on bill an act providing for the appointment of a Deputy Secretary of State to be designated a Registrar of Motor Vehicles and to place the administration of the several motor vehicle provisions of law under his jurisdiction and ad-

ministration (H. P. 1118) (H. D. 374) reporting same in a new draft (H. P. 1331) under same title and that it "Ought to pass"

Report was signed by the following members:

Messrs. MAHER of Kennebec
OAKES of Cumberland
—of the Senate
BARTLETT of Bangor
PATTERSON of Castine
WING of Kingfield
HALE of Portland
—of the House

Minority report of same Committee reporting "Ought not to pass" on same bill.

Report was signed by the following members:

Messrs. ALDRICH of Topsham
DUDLEY of Calais
WING of Auburn
—of the House

Mr. MORRILL of Gray: Mr. Speaker, I wish to move the acceptance of the majority report for the following reasons; and I will take but a very few moments of your time. This is the largest collecting agency in the State House. The estimated receipts from the Secretary of State's Office for registration this year are \$2,350,000. I speak of the gas tax, because it is in conjunction with the automobile tax. They do not collect it. That would be \$2,100,000, making a total from that source of \$4,450,000.

I wish to speak of the time that the Secretary of State has to put into this office. In 1925 there were two hundred and eighty-one suspensions and one hundred and ninety-six revocations of licenses, with one hundred and ninety hearings. In 1926 there were three hundred and sixty-two suspensions and four hundred and six revocations of licenses. That takes a great deal of the Secretary's time. I think that the Deputy Secretary of State now gets thirty-three hundred, and if the laws are enforced through the registration of motor vehicles in relation to the collection of truck fees,—which has not been done for the last two years; I don't know whose fault it is—it would more than offset any extra expense by thousands of dollars. This has the approval of the Maine Automobile Association.

I would like to see accurate records kept so that one could look a car up by its license plates or by its engine and serial number. This would be a great help to the police departments. The creation of this

registry of motor vehicles has for years been advocated by ex-Secretary of State Bail, and I think it is something that has got to come. I would like to see it started at this time. Therefore I move the acceptance of the majority report.

Mr. BARTLETT of Bangor: Mr. Speaker, I am not going to talk on this bill, but I have forgotten what the original House Document number was.

The SPEAKER: The original document was House Document 374.

Mr. BARTLETT: Mr. Speaker, the only change in the new draft is relating to the salary of the Deputy Secretary. In the old draft it was placed at four thousand dollars and the new draft makes it thirty-five hundred dollars. That is the only change in the new draft.

The SPEAKER: The question before the House is on the motion of the gentleman from Gray, Mr. Morrill, that the majority report ought to pass be accepted. As many as are in favor of this motion will say aye; those opposed will say no.

A viva voce vote being taken, the motion to accept the majority report prevailed; and on further motion by the same gentleman, the rules were suspended and the bill was given its several readings at this time and passed to be engrossed.

First Reading of a Printed Bill

(Out of order)

H. P. 1315, H. D. 643: An act relating to non-resident hunting licenses.

(On motion by Mr. Flint of Monson, the rules were suspended, the bill given its several readings and passed to be engrossed.)

Communication from the State Auditor

(Out of order)

The following communication:

STATE OF MAINE
DEPARTMENT OF STATE AUDITOR
Augusta

April 13, 1927.

To the Honorable House of Representatives:

I am in receipt of your order of April 13th, 1927, as follows:

"Ordered, That the State Auditor forthwith present to the House an itemized account of the receipts and disbursements of the contingent fund for the last two years."

For the fiscal year ending June 30th, 1925, the receipts to the State Contingent Fund were \$739,017.92, as shown by the detailed list hereto attached and marked Exhibit "A." The disbursements from the fund for the same fiscal year were \$519,912.70, as shown by the detailed list hereto attached and marked Exhibit "B."

For the fiscal year ending June 30th, 1926, the receipts to the State Contingent Fund were \$553,552.52, as shown by the detailed list hereto attached and marked Exhibit "C." The disbursements from the fund for the same fiscal year were \$186,324.92, as shown by detailed list marked Exhibit "D." hereto attached.

I also include in my report the receipts to and the disbursements from the State Contingent Fund from July 1, 1926 to April 1, 1927. The receipts for that period have been \$388,105.52, of which \$300,000.00 constituted the new set-up of the State Contingent Fund July 1, 1926, and \$88,105.52 represented balances lapsed to said fund December 31, 1926, the latter being immediately transferred to the Sinking Fund Reserve. These receipts are shown by detailed list hereto attached and marked Exhibit "E." The disbursements from the fund for the same period have been \$139,623.60, as shown by detailed list hereto attached and marked Exhibit "F."

The detail of receipts and expenditures to the State Contingent Fund for the two years ending June 30, 1926, appear in the biennial report of this office filed with the Legislature on January 18, 1927, on pages 43, 49, 325 and 331.

Respectfully yours,

(Signed) ELBERT D. HAYFORD,
State Auditor.

Read and ordered placed on file and 500 copies ordered printed.

On motion by Mr. Crawford of Houlton, it was voted to take from the table the final report of the committee on Agriculture, tabled by that gentleman earlier in the day; and on further motion by the same gentleman the report was accepted in concurrence.

The following bills on their passage to be enacted, and resolves on final passage were taken up out of order under suspension of the rules:

Passed to be Enacted

An Act relating to the taking of square-tailed trout in the county of York (S. P. 646) (S. D. 380)

(Tabled by Mr. Deering of Saco and specially assigned for tomorrow morning.)

An Act to provide funds for topographical survey.

An Act relating to the salary of the Clerk of Courts of Sagadahoc County.

An Act to increase the salary of the Treasurer of York County.

An Act to increase the salaries of the County Commissioners of York County.

Finally Passed

Resolve in favor of the Bath Water District, a public municipal corporation located at Bath, in the county of Sagadahoc.

Resolve in favor of the Reformatory for Women for maintenance and other purposes.

Resolve in favor of the State Reformatory for Women for the erection of a detention building.

Resolve in favor of the University of Maine.

Resolve in favor of Opportunity Farm for assistance in obtaining a supply of pure water.

Resolve in favor of procuring testimonials for the purpose of marking the unmarked graves of the soldiers of the Revolutionary War.

Resolve in favor of International Bridge over St. John River, Madawaska, Maine—Edmundston, New Brunswick—for a combined Immigration and Customs Office.

Resolve providing for the construction of an International Bridge over St. John River between the town of Fort Kent, Aroostook county, and the Parish of St. Francis, Madawaska County, New Brunswick. S. P. 600, S. D. 358.

On motion by Mr. Kitchen of Presque Isle the House voted to reconsider its action whereby this resolve was passed to be engrossed; and that gentleman offered House Amendment A and moved its adoption.

House Amendment A to Senate Document No. 358.

Senate Document No. 358 is hereby amended by inserting after the word "appropriated" in the first line the words "out of the proceeds of bonds issued to provide funds for the building of bridges."

House Amendment A was adopted and the resolve was passed to be engrossed as amended by House Amendment A.

Passed to be Enacted

An act to regulate the hunting of wild birds in the waters of Merry-meeting Bay.

An act relating to the protection of moose.

The SPEAKER: The Chair will state at this time that it has been requested to appoint a committee for a mock session to be held on Friday evening, or at any time that the committee deems advisable and proper. The Chair has not had the

time to appoint a full committee so it will simply appoint an executive committee, which executive committee can appoint as many other members as it deems advisable. Upon the executive committee for the mock session the Chair appoints, Messrs. Rounds of Portland, Foster of Ellsworth and Piper of Jackman.

On motion by Mr. Hale of Portland,

Adjourned until nine o'clock tomorrow morning.